

**CITY OF SANTA BARBARA  
CITY COUNCIL**

**Helene Schneider**  
*Mayor*  
**Frank Hotchkiss**  
*Mayor Pro Tempore*  
**Grant House**  
*Ordinance Committee Chair*  
**Dale Francisco**  
*Finance Committee Chair*  
**Cathy Murillo**  
**Randy Rowse**  
**Bendy White**



**James L. Armstrong**  
*City Administrator*

**Stephen P. Wiley**  
*City Attorney*

**City Hall**  
*735 Anacapa Street*  
<http://www.SantaBarbaraCA.gov>

**FEBRUARY 7, 2012  
AGENDA**

**ORDER OF BUSINESS:** Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

**REPORTS:** Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

**PUBLIC COMMENT:** At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

**REQUEST TO SPEAK:** A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

**CONSENT CALENDAR:** The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

**TELEVISION COVERAGE:** Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at [www.citytv18.com](http://www.citytv18.com) for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

## **ORDER OF BUSINESS**

2:00 p.m. - City Council Meeting

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **CEREMONIAL ITEMS**

**1. Subject: Employee Recognition - Service Award Pins (410.01)**

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through February 29, 2012.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

### **CONSENT CALENDAR**

### **CITY COUNCIL**

**2. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of August 2, 2011, the regular meeting of August 16, 2011, the regular meeting of September 13, 2011, the regular meeting of September 27, 2011, the regular meeting of October 11, 2011, the special meeting of December 1, 2011, and the regular meeting of December 13, 2011.

## CONSENT CALENDAR (CONT'D)

### CITY COUNCIL (CONT'D)

**3. Subject: Resolution Approving Application For Water Smart Grant Program (540.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Submit an Application, Execute a Grant Agreement in a Form Approved By the City Attorney, and Take Other Actions as May Be Necessary for City Participation in the United States Bureau of Reclamation Water Smart Grant Program, With a City Matching Contribution Not to Exceed \$55,000.

**4. Subject: Lease Agreement With Barbara Sonia Adams, Doing Business As Madame Rosinka (330.04)**

Recommendation: That Council approve a five-year lease agreement with Barbara Sonia Adams, doing business as Madame Rosinka at 221-B Stearns Wharf, at a rent of \$750 per month.

**5. Subject: Lease Agreement With Ty Warner Sea Center For Office Space On Stearns Wharf (330.04)**

Recommendation: That Council approve a five-year lease agreement with the Santa Barbara Museum of Natural History's Ty Warner Sea Center, for second floor office space at 219-E Stearns Wharf, at an initial rent of \$610 per month.

**6. Subject: Contract For Preliminary Design For The Las Positas Road/Cliff Drive Intersection Improvements Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a standard City Professional Services contract with Penfield & Smith in the amount of \$63,332 for preliminary design services for the Las Positas Road/Cliff Drive Intersection Improvements Project, and authorize the Public Works Director to approve expenditures of up to \$6,333 for extra services of Penfield & Smith that may result from necessary changes in the scope of work.

**7. Subject: Resolution Authorizing Submission Of An Urban Forestry Grant Application In The Amount Of \$73,600 For The Development Of A Santa Barbara Urban Forest Management Plan (570.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Funding From the Urban Forestry Grant Program Entitled, "An Urban Forest For Every City", as Provided Through Proposition 40 and/or Proposition 84.

## **CONSENT CALENDAR (CONT'D)**

### CITY COUNCIL (CONT'D)

**8. Subject: Increase In Emergency Purchase Order For Conejo Road Storm Drain Installation Project (530.04)**

Recommendation: That Council retroactively approve an increase in Emergency Purchase Order No. 77843 with MGE Underground, Inc. for the Conejo Road Storm Drain Installation Project in the amount of \$28,740.66 for extra work, for a total expenditure authority of \$115,144.75, pursuant to Municipal Code Section 4.52.080, pertaining to emergency purchases.

**9. Subject: Extension Of MOU With Hourly Bargaining Unit (440.02)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the Term of the Existing Memorandum of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit to December 31, 2012.

### SUCCESSOR AGENCY

**10. Subject: Minutes**

Recommendation: That Council, acting as the Successor Agency to the City of Santa Barbara Redevelopment Agency, waive the reading and approve the minutes of the regular meeting of September 13, 2011, the regular meeting of October 11, 2011, and the regular meeting of December 13, 2011.

**11. Subject: Authorization To Invest Redevelopment Successor Agency Funds In The State Of California's Local Agency Investment Fund (LAIF)**

Recommendation: That Council, acting as the Successor Agency to the City of Santa Barbara Redevelopment Agency, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, Acting as Successor Agency to the City of Santa Barbara Redevelopment Agency, Authorizing the Investment of Monies of the Successor Agency of the City of Santa Barbara Redevelopment Agency in the State of California's Local Agency Investment Fund.

## NOTICES

12. The City Clerk has on Thursday, February 2, 2012, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
13. Received a letter of resignation from Transportation and Circulation Committee Member David Pritchett; the vacancy will be part of the next City Advisory Group recruitment.

**This concludes the Consent Calendar.**

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### PUBLIC WORKS DEPARTMENT

14. **Subject: Authorize Sale Of Excess City Property At 20 South Milpas Street (330.03)**

Recommendation: That Council authorize the Public Works Director to offer the property at 20 South Milpas Street for sale in a public auction, and negotiate final sale terms as provided for and as required by the City Charter and Chapter 4.28 of the Santa Barbara Municipal Code.

15. **Subject: Declare Real Property At 309 West Ortega Street As Excess And Subject To Disposal By Public Auction (330.03)**

Recommendation: That Council declare the real property located at 309 West Ortega Street in excess to the City's needs, and authorize disposition of said property according to state and local guidelines. All actions will be subject to review and approval by the City Attorney to dispose of said property by public auction in accordance with Santa Barbara Municipal Code (SBMC) Chapter 4.28 and Section 520 of the Santa Barbara City Charter.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **CLOSED SESSIONS**

### **16. Subject: Conference With Legal Counsel - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Drew Josfan vs. Indochine, et al., USDC Case No. CV 09-07904 AHM (PLAx).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

### **17. Subject: Closed Session Regarding Real Property (330.03)**

Recommendation: That Council hold a closed session, pursuant to Section 54956.8 of the Government Code, to consider real property negotiations between the staff of the City Administrator's Office for the City of Santa Barbara and the staff of the Santa Barbara County Executive Officer, concerning a possible lease of parking spaces to the County. The subject real property is known as Granada Parking Garage, 1221 Anacapa Street, Santa Barbara, CA 93101, APNs 039-183-046 and -054.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

## **ADJOURNMENT**



Agenda Item No. \_\_\_\_\_

File Code No. 410.01

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Employee Recognition – Service Award Pins

### **RECOMMENDATION:**

That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through February 29, 2012.

### **DISCUSSION:**

Since 1980, the City Employees' Recognition Program has recognized length of City Service. Service award pins are presented to employees for every five years of service. Those employees achieving 25 years of service or more are eligible to receive their pins in front of the City Council.

Attached is a list of those employees who will be awarded pins for their service through February 29, 2012.

**ATTACHMENT:** February 2012 Service Awards

**SUBMITTED BY:** Marcelo López, Assistant City Administrator

**APPROVED BY:** City Administrator's Office

**FEBRUARY 2012 SERVICE AWARDS**

February 7, 2011 Council Meeting

**5 YEARS**

Bill Hornung, General Services Manager, Finance  
Jeff Smith, Recreation Supervisor I, Parks and Recreation  
Jose Ibarra, Grounds Maintenance Worker II, Parks and Recreation  
Wendy Cummings, Harbor Patrol Officer, Waterfront

**10 YEARS**

Adam Nares, GIS Technician, Community Development

**15 YEARS**

George Estrella, Chief Building Official, Community Development

**20 YEARS**

Greg Metcalf, Waterfront Maintenance Worker I, Waterfront

**25 YEARS**

David Ward, Fire Engineer, Fire  
Olga Herrera, Fire Engineer, Fire

**30 YEARS**

Debra Southgate, Office Specialist II, Fire  
Francisco Tejeda, Maintenance Worker II, Public Works



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING August 2, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

### CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through August 31, 2011.

#### Documents:

August 2, 2011, report from the Assistant City Administrator.

#### Speakers:

Staff: City Administrator James Armstrong, Award Recipient Mike McGrew.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation. The following employees were recognized:

5-Year Pin

Yolanda McGlinchey, Emergency Services Manager, Fire  
Henry Lopez, Streets Maintenance Worker II, Public Works  
Julie Thomas, Recreation Specialist, Parks and Recreation

10-Year Pin

Chris Short, Senior Plan Check Engineer, Community Development  
George Johnson, Creeks Supervisor, Parks and Recreation  
Rick Hubbard, Harbor Patrol Officer, Waterfront

15-Year Pin

Margaret Douville, Network/Applications Analyst, Administrative Services  
Andrew Hill, Police Officer, Police  
David Shoemaker, Senior Engineering Technician, Public Works  
George Kier, Painter, Public Works

20-Year Pin

Marie Crusinberry, Library Assistant I, Library  
Mary Adams, Executive Assistant, Waterfront

25-Year Pin

Michael McGrew, Police Sergeant, Police

**PUBLIC COMMENT**

Speakers: JoAnne Funari, Old Spanish Days; Ruth Wilson; Anne Victoria Neubling; Donna Lewis.

**ITEM REMOVED FROM CONSENT CALENDAR**

Councilmember Self stated that she would abstain from voting on the following item due to a conflict of interest related to a family member's involvement in the sale of the property.

3. Subject: Introduction Of Ordinance To Approve The Disposition Of Excess Portions Of City Land At Vic Trace Reservoir, 740 Dolores Drive (330.03)

Recommendation: That Council:

- A. Declare a 0.264 acre portion of the Vic Trace Reservoir property that is owned by the City of Santa Barbara and located at 740 Dolores Drive as excess to the needs of the City; and

(Cont'd)

3. (Cont'd)

- B. Introduce, and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Disposition of a Certain 0.264 Acre Excess Portion of the Vic Trace Reservoir Property Known as Assessor's Parcel Number 035-033-013 to the Owners of the Adjacent Parcels of the Real Property Commonly Known as 1557, 1547 and 1537 La Cresta Circle in the City of Santa Barbara.

Documents:

- August 2, 2011, report from the Public Works Director.
- Proposed Ordinance.

The title of the ordinance was read.

Motion:

Councilmembers White/Francisco to approve the recommendations.

Vote:

Unanimous voice vote (Abstentions: Councilmember Self).

**CONSENT CALENDAR (Item Nos. 2 and 4 – 6)**

Motion:

Councilmembers Rowse/White to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of June 2, 2011, and the regular meeting of June 21, 2011.

Action: Approved the recommendation.

4. Subject: Service Agreement With Thresholds To Recovery To Operate The Sobering Center (520.04)

Recommendation: That Council approve and authorize the Chief of Police to negotiate and execute a Service Agreement with Thresholds to Recovery, Inc., to operate the Sobering Center in Fiscal Year 2012, beginning July 1, 2011, and ending June 30, 2012, with annual fees not to exceed \$194,935, in a form acceptable to the City Attorney.

Action: Approved the recommendation; Agreement No. 23,850 (August 2, 2011, report from the Chief of Police).

5. Subject: Set A Date For Public Hearing Regarding Appeal Of Parks And Recreation Commission Denial For 21 N. Milpas Street (570.08)

Recommendation: That Council:

- A. Set the date of September 27, 2011, at 2:00 p.m. for hearing the appeal filed by Beverly Iles of the Parks and Recreation Commission's denial of a request to remove a street tree on property located at 21 N. Milpas Street; and
- B. Set the date of September 26, 2011, at 1:30 p.m. for a site visit to the property located at 21 N. Milpas Street.

Action: Approved the recommendations (July 5, 2011, letter of appeal).

## NOTICES

6. The City Clerk has on Thursday, July 28, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to review the City's Arts Advisory Committee grant funding recommendations, which the Committee unanimously recommended to the full Council for approval.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### PUBLIC WORKS DEPARTMENT

7. Subject: Conceptual Approval Of Encroachments Proposed By Ensemble Theatre Company Fronting Victoria Hall Theater (330.03)

Recommendation: That Council conceptually approve an encroachment permit request by the Ensemble Theatre Company (Ensemble Theatre) to move the sidewalk into the parking lane in front of the Victoria Hall Theater (Victoria Hall), located at 33 West Victoria Street, to comply with building and accessibility codes during renovation.

Documents:

- August 2, 2011, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

7. (Cont'd)

Speakers:

- Staff: Principal Transportation Planner Rob Dayton.
- Downtown Parking Committee: Chair Matt La Brie.
- Ensemble Theater: Board Member Derek Westen, Project Manager Jason Currie.
- Members of the Public: Mike Jordan, John Rowbottam, Kellam de Forest.

Motion:

Councilmembers Francisco/House to approve the recommendation, with direction to the Historic Landmarks Commission to look at other solutions.

Vote:

Majority voice vote (Noes: Councilmember Self).

COMMUNITY DEVELOPMENT DEPARTMENT

8. Subject: American Institute Of Architects Presentation On Design Charrette (650.05)

Recommendation: That Council receive a presentation from the American Institute of Architects (AIA) on the recent Design Charrette held to explore higher residential densities at three select sites in the City.

Documents:

- August 2, 2011, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- August 2, 2011, charrette assumptions submitted by Detlev Peikert.
- August 2, 2011, land price per unit graph submitted by Gil Barry.

Speakers:

- Staff: Principal Planner John Ledbetter.
- Charrette Organizing Committee: Chair Detlev Peikert, John Campanella, Gil Barry, Mickey Flacks.
- Members of the Public: Michael Holliday, AIA and Santa Barbara Region Chamber of Commerce; Kellam de Forest; Gil Barry; Robert Burke; Bob Kupiec, AIA and Kupiec Architects.

By consensus, the Council heard the presentation.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

Mayor Schneider reported that representatives from three Sister Cities are visiting Santa Barbara, including Puerto Vallarta, Mexico; Toba, Japan; and Weihai, China.

## RECESS

Mayor Schneider recessed the meeting at 5:41 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 9, and she stated that no reportable action is anticipated.

## CLOSED SESSIONS

9. Subject: Conference With Real Property Negotiators - 423 W. Victoria Street And 701 E. Haley Street (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54956.8 in order to provide direction to the City Administrator and to the City Attorney regarding the possible City disposition of the real properties known as 423 W. Victoria Street and 701 E. Haley Street. Property: 423 W. Victoria Street (Youth CineMedia) and 701 E. Haley Street (Primo Boxing - Youth Sports Center). City Negotiators: Nancy Rapp, Scott Vincent. Negotiating Party: Youth CineMedia - Osiris Casteneda, Rugina Ruiz and Primo Boxing - Joe and Jean Pommier. Under Negotiation: Rent and terms of lease.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

August 2, 2011, report from the City Attorney.

Time:

5:41 p.m. - 6:16 p.m.

No report made.

## ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:16 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING August 16, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Ordinance and Finance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

### CHANGES TO THE AGENDA

#### Item Removed from Agenda

City Administrator James Armstrong reported that the following item was removed from the agenda due to the Supreme Court's decision to stay ABX1 27 and based upon the advice of the City Attorney.

#### 13. Subject: Redevelopment Agency Continuation Ordinance (620.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention, Under Protest, to Make Remittances Required by ABX1 27 in Order to Avoid Dissolution of the Redevelopment Agency of the City of Santa Barbara; and

(Cont'd)

13. (Cont'd)

- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Determining that it will Comply, Under Protest, with the Voluntary Alternative Redevelopment Program Pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in Order to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of Santa Barbara.

**PUBLIC COMMENT**

Speakers: Wayne Scoles, Rick Goodfriend, Kenneth Loch, Paul Fry, Cruzito Cruz.

**CONSENT CALENDAR**

The titles of the ordinances related to the Consent Calendar were read.

Motion:

Councilmembers House/Rowse to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

- 1. Subject: Introduction Of Ordinance Amending Municipal Code Title 17, Chapter 17.36, Pertaining To Operations At The Waterfront (570.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 17, Chapter 17.36 Pertaining to Parking in the Harbor Parking Lot.

Action: Approved the recommendation (August 16, 2011, report from the Interim Waterfront Director; proposed ordinance).

- 2. Subject: Introduction Of Ordinance For A Lease With Santa Barbara Sailing Center (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease with Two Five-Year Options with Skip Abed, Doing Business as Santa Barbara Sailing Center, for the Boat Rental and Sailing Instruction Facility at 303 West Cabrillo Boulevard Adjacent to the Harbor Launch Ramp, Effective September 21, 2011.

Action: Approved the recommendation (August 16, 2011, report from the Interim Waterfront Director; proposed ordinance).

3. Subject: Introduction Of Ordinance For A Lease With Seacoast Of Santa Barbara (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease with One Five-Year Option with Seacoast of Santa Barbara Inc., for a 562 Square-Foot Yacht Brokerage Office at 125 Harbor Way, at an Initial Base Rent of \$1,817 Per Month, Effective September 21, 2011.

Action: Approved the recommendation (August 16, 2011, report from the Interim Waterfront Director; proposed ordinance).

4. Subject: Proposed Airline Rates And Charges For New Terminal (560.01)

Recommendation: That Council approve airline rates and charges for the new Airline Terminal, including the annual Airline Terminal building space square footage rental rate of \$77, a boarding bridge fee of \$42 per turn, and a landing fee of \$2.50 per thousand pounds of gross landed weight, effective August 17, 2011, through June 30, 2012.

Action: Approved the recommendation (August 16, 2011, report from the Airport Director).

5. Subject: Agreement For Reimbursement With The U.S. Forest Service For Cooperative Fire Protection (520.03)

Recommendation: That Council authorize the Fire Chief to execute the Cooperative Fire Protection Agreement between the City of Santa Barbara and the U. S. Forest Service in a form of agreement approved by the City Attorney.

Action: Approved the recommendation; Agreement No. 23,856 (August 16, 2011, report from the Fire Chief).

6. Subject: Approval Of Equipment Standardization For The Fire Operations Division (520.03)

Recommendation: That Council find it to be in the City's best interest to approve standardizing Lion turnout suits for the Fire Operations Division during the next five-year period, ending June 30, 2016, and waive the formal bidding process in accordance with Section 4.52.070 (I) of the Santa Barbara Municipal Code.

Action: Approved the recommendation (August 16, 2011, report from the Fire Chief).

7. Subject: Adoption Of Ordinance Establishing Prima Facie Speed Limits (530.05)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.60 of the Municipal Code by Revising Section 10.60.015, Establishing Prima Facie Speed Limits on Cota Street Between Santa Barbara Street and Alameda Padre Serra at 25 Miles Per Hour.

Action: Approved the recommendation; Ordinance No. 5563.

8. Subject: Purchase Order For Primary Coagulant Chemicals For The William B. Cater Water Treatment Plant (540.10)

Recommendation: That Council find it in the City's best interest to waive the formal bidding process as authorized by Municipal Code 4.52.070(k), and authorize the City General Services Manager to issue a Blanket Purchase Order to Summit Research Labs as the sole source and most favorable source for providing the City with Sumaclear 830B and Sumaclear 1000 coagulant chemicals in an amount not to exceed \$500,000 for Fiscal Year 2012, with the option for the City General Services Manager to renew the purchase order for an additional four years, subject to the availability of appropriated funds for this purpose in the adopted budget for each subsequent fiscal year.

Action: Approved the recommendation (August 16, 2011, report from the Public Works Director).

9. Subject: Designation Of Voting Delegate And Two Alternates For The League Of California Cities Annual Conference (180.01)

Recommendation: That Council designate Mayor Helene Schneider as the voting delegate for the League of California Cities Annual Conference.

Action: Approved the recommendation.

## NOTICES

10. The City Clerk has on Thursday, August 11, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
11. Cancellation of the regular Redevelopment Agency meeting of August 16, 2011, due to lack of business.
12. A City Council site visit is scheduled on Monday, August 22, 2011, at 1:30 p.m. to the property located at 903 W. Mission Street, which is the subject of an appeal hearing set for August 23, 2011, at 2:00 p.m.

This concluded the Consent Calendar.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **COMMUNITY DEVELOPMENT DEPARTMENT**

Councilmember Rowse stated that he would not participate in the following item due to a conflict of interest related to his ownership of a business located near the subject property, and left the meeting at 2:13 p.m.

14. Subject: Plaza De La Guerra Infrastructure Improvement Project Status Report (570.05)

Recommendation: That Council receive a status report on the Plaza de la Guerra Infrastructure Improvement Project.

#### Documents:

- August 16, 2011, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- August 9, 2011, email communication from Pamela Boehr.
- August 15, 2011, letter submitted by Lawrence E. Cook.
- August 16, 2011, photographs submitted by Reverend Paul Vit.
- August 16, 2011, postcard submitted by Sheila Lodge.

#### Speakers:

- Staff: Housing and Redevelopment Manager Brian Bosse, Redevelopment Specialist Elizabeth Limón, Redevelopment Supervisor I Marck Aguilar, Associate Transportation Planner Stacey Wilson, Facilities and Special Events Supervisor Susan Jang-Bardick.
- Downtown Organization: Executive Director Bill Collyer.
- Members of the Public: Reverend Paul Vit; Dennis Rickard; Executive Director Jarrell Jackman, Santa Barbara Trust for Historic Preservation; Sheila Lodge; Robert Burke.

By consensus, the Council received the report.

## **MAYOR AND COUNCIL REPORTS**

15. Subject: Request From Councilmembers Self And Rowse On Maintenance And Protection Of City Of Santa Barbara Bus, Truck, Capacity, Emergency And Evacuation Routes (520.02)

Recommendation: That Council consider a request from Councilmembers Self and Rowse to establish new policies that would preserve the current bus, truck, capacity, emergency and evacuation routes established by the Santa Barbara Municipal Code.

(Cont'd)

15. (Cont'd)

Councilmember Rowse returned to the meeting at 3:44 p.m.

Documents:

August 16, 2011, report from the Public Works Director.

Speakers:

- Staff: Fire Chief Andy DiMizio, Public Works Director Christine Andersen, Police Lieutenant Jim Pflieger, City Administrator James Armstrong, Assistant City Administrator Paul Casey, City Attorney Steve Wiley.
- Metropolitan Transit District: General Manager Sherrie Fisher.
- Members of the Public: Michael Warnken.

Motion:

Councilmembers Francisco/Hotchkiss to direct Staff to include a policy in the circulation element that states that it is a high priority for the City that evacuation, commercial truck, and emergency response routes remain free and clear, and that hardscape and other permanent physical restrictions on traffic flow are discouraged on those routes.

Vote:

Majority voice vote (Noes: Councilmember House, Mayor Schneider; Abstentions: Councilmember White).

**RECESS**

Mayor Schneider recessed the meeting at 4:59 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 16, and she stated that no reportable action is anticipated.

**CLOSED SESSIONS**

16. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Santa Barbara Channelkeeper v. City of Santa Barbara, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

August 16, 2011, report from the City Attorney.

(Cont'd)

16. (Cont'd)

Speakers:

Members of the Public: Michael Warnken.

Time:

5:03 p.m. - 5:17 p.m. Councilmember Self was absent.

No report made.

## **ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:17 p.m. to Monday, August 22, 2011, at 1:30 p.m. at the property located at 903 W. Mission Street, in memory of former City employee Marko Mendoza, and Navy Seal and Santa Barbara resident Louis Langlais.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING September 13, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and Redevelopment Agency to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m., and the Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

### CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through September 30, 2011.

Documents:

September 13, 2011, report from the Assistant City Administrator.

Speakers: City Administrator James Armstrong, Award Recipients Pat McElroy and Maria Borden.

(Cont'd)

1. (Cont'd)

By consensus, the Council approved the recommendation. The following employees were recognized:

5-Year Pin

Antoine Durosseau, GIS Technician, Administrative Services  
Caroline Dosa, Accounting Assistant, Finance  
Nuvia Alvarez, Library Assistant II, Library  
Artemio Aranda, Grounds Maintenance Worker II, Parks and Recreation  
John Velasco, Park Ranger, Parks and Recreation  
Anthony Nunez, Animal Control Officer II, Police  
Holly Perea, Police Technician, Police  
James Fink, Electronics/Communications Technician II, Public Works  
Patrick Shanahan, Supervising Engineer, Public Works  
Ryan Kelly, Harbor Patrol Officer, Waterfront  
Timothy Petter, Senior Waterfront Maintenance Worker, Waterfront

10-Year Pin

Brian Walsh, Fire Captain, Fire  
Nicole Lvoff, Library Assistant I, Library  
Oscar Gonzalez, Police Officer, Police  
Shawn Hill, Police Officer, Police  
Joshua Morton, Police Officer, Police  
Jon Palka, Police Officer, Police  
Charles Venable, Police Officer, Police  
Cristina Caratachea, Administrative Assistant, Public Works

15-Year Pin

Catherine Taylor, Water System Manager, Public Works

20-Year Pin

Riley Harwood, Police Sergeant, Police  
David Henderson, Police Sergeant, Police  
Laurence Nufer, Harbor Patrol Officer, Waterfront

25-Year Pin

Mark Vogel, Grounds Maintenance Crew Leader, Parks and Recreation  
Terri Yamada, Administrative Assistant, Parks and Recreation

30-Year Pin

Patrick McElroy, Fire Operations Division Chief, Fire  
Maria Borden, Parking Enforcement Officer, Police  
Gabriel Ibarra, Treatment Plant Technician, Public Works

## **PUBLIC COMMENT**

Speakers: Wayne Scoles; Reverend Paul Vit; Pat Love; Kate Smith; Cruzito Herrera Cruz, La Comunidad; Geof Bard.

## **CONSENT CALENDAR (Item Nos. 2 – 10, 13 and 14)**

The title of the ordinance related to the Consent Calendar was read.

Motion:

Councilmembers Hotchkiss/Francisco to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

### **2. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of July 5, 2011 (cancelled), the regular meeting of July 26, 2011, and the regular meeting of August 9, 2011.

Action: Approved the recommendation.

### **3. Subject: Community Promotion Contract With Summer Solstice Celebration, Inc. (230.02)**

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with Summer Solstice Celebration, Inc. in an amount of \$37,851 to support year-round salary and production expenses.

Action: Approved the recommendation; Contract No. 23,879 (September 13, 2011, report from the Finance Director).

### **4. Subject: Letter Of Support For Santa Maria Air Tanker Base (150.01)**

Recommendation: That Council authorize the Mayor to send a letter to California state senators and area members of congress supporting the restoration of the Santa Maria Air Tanker Base to full service status.

Speakers: Willy Chamberlin.

Action: Approved the recommendation (September 13, 2011, report from the Fire Chief).

5. Subject: Fiscal Year 2012 Interim Financial Statements For The One Month Ended July 31, 2011 (250.02)

Recommendation: That Council accept the Fiscal Year 2012 Interim Financial Statements For The One Month Ended July 31, 2011.

Action: Approved the recommendation (September 13, 2011, report from the Finance Director).

6. Subject: Adoption Of Ordinance Establishing Bay View Circle As A One-Way Street (530.05)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.60 of the Municipal Code by Revising Section 10.60.030, Establishing Bay View Circle as a Counter-Clockwise One-Way Street.

Action: Approved the recommendation; Ordinance No. 5567.

7. Subject: Contract For Construction For The Lower West Downtown Street Lighting Project, Phase 1 (530.04)

Recommendation: That Council:

- A. Award a contract with Taft Electric Company in their low bid amount of \$274,159.56 for construction of the Lower West Downtown Lighting Project, Phase 1, Bid No. 3617; and
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$27,500 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

Action: Approved the recommendations; Contract No. 23,880 (September 13, 2011, report from the Public Works Director).

8. Subject: Contract For Construction Of The Headworks Screening Replacement Project At El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council:

- A. Award a contract with Stanek Constructors, Inc., in their low bid amount of \$3,910,000 for construction of the Headworks Screening Replacement Project at El Estero Wastewater Treatment Plant, Bid No. 3570;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$391,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;

(Cont'd)

8. (Cont'd)

- C. Authorize the Public Works Director to execute a contract with Carollo Engineering in the amount of \$200,000 for construction support services, and approve expenditures of up to \$20,000 for extra services of Carollo Engineering that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$380,240 for construction management services, and approve expenditures of up to \$38,025 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work;
- E. Accept a loan in the amount of \$5,200,000 from the Clean Water State Revolving Fund for the Headworks Screening Replacement Project at El Estero Wastewater Treatment Plant; and
- F. Increase Wastewater Capital Fund appropriations and estimated revenues by \$5,200,000.

Action: Approved the recommendations; Contract Nos. 23,881 - 23,883 (September 13, 2011, report from the Public Works Director).

9. Subject: Response To Grand Jury Report On Post-Employment Benefits In Santa Barbara County (150.04)

Recommendation: That Council:

- A. Consider and adopt responses as the City Council responses to the Grand Jury report entitled "Local Government Post-Employment Benefits in Santa Barbara County - Complicated and Costly"; and
- B. Approve and authorize the City Administrator to execute a letter forwarding the responses to the Assistant Presiding Judge.

Action: Approved the recommendations (September 13, 2011, report from the Finance Director).

10. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 1359 And 1383 Santa Teresita Drive (640.07)

Recommendation: That Council:

- A. Set the date of October 18, 2011, at 2:00 p.m. for hearing the appeal filed by Debbie Foley of the Single Family Design Board approval of an application for grading repair and storm water drainage improvements for an easement area located between two lots at 1359 and 1383 Santa Teresita Drive, Assessor's Parcel Nos. 055-141-053 and 055-141-045, Single Family Residential Zone, General Plan Designation: Residential, One Unit per Acre. The project proposes 2,500 cubic yards of import fill grading to repair the slope failure and erosion to the slope of a secondary access unpaved road for an easement area owned by Pacifcor, Inc., which serves the parcel located at 1575 N. Ontare Drive; and

(Cont'd)

10. (Cont'd)

- B. Set the date of October 17, 2011, at 1:30 p.m. for a site visit to the properties located at 1359 and 1383 Santa Teresita Drive.

Action: Approved the recommendations (August 11, 2011, letter of appeal).

Agenda Item Nos. 11 and 12 appear in the Redevelopment Agency minutes.

### NOTICES

- 13. The City Clerk has on Thursday, September 8, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 14. Received a letter of resignation from Architectural Board of Review Member Clay Aurell; the vacancy will be part of the next City Advisory Group recruitment. (640.03)

This concluded the Consent Calendar.

### **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee heard a summary on the close of Fiscal Year 2011.

### **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

#### COMMUNITY DEVELOPMENT DEPARTMENT

- 15. Subject: Council Subcommittee On Homelessness And Community Relations (660.04)

Recommendation: That Council:

- A. Support, in concept, the consolidation of Bringing Our Community Home, Common Ground Santa Barbara and the Regional Homeless Advisory Committees into a regional homeless collaborative, and direct Council and staff to participate in a planning workshop to be held in Fall 2011;
- B. Set aside Fiscal Year 2013 Human Services funding to pay the City's fair share of staffing costs of the homeless collaborative, with the expectation that other public government bodies will also step up with their fair share;
- C. If appropriate, offer in-kind office space on the South Coast for the homeless collaborative;
- D. Direct staff to work with the County of Santa Barbara Housing and Community Development Department on the selection of a new homeless management information system (HMIS);

(Cont'd)

15. (Cont'd)

- E. Direct Police Department staff to develop measurable outcomes and specific goals for the Enhanced Restorative Policing Pilot Program and report semiannually on the progress of meeting these outcomes, including any discernible changes in the neighborhood issues near Casa Esperanza; and
- F. Direct staff to complete Phase I of the Real Change Not Spare Change alternate giving campaign and suspend the implementation of Phase II.

Documents:

September 13, 2011, report from the Council Subcommittee on Homelessness and Community Relations.

Speakers:

- Staff: Administrative Services Manager Sue Gray.
- Members of the Public: Geof Bard; Alan Bleecker, Milpas Community Association.
- Common Ground Santa Barbara: Co-Chair Rob Fredericks.

Motion:

Councilmembers Francisco/Self to approve the recommendations, with the revision to recommendation E shown above.

Vote:

Unanimous voice vote.

FINANCE DEPARTMENT

16. Subject: Fiscal Year 2011 Interim Financial Statements For The Twelve Months Ended June 30, 2011 (250.02)

Recommendation: That Council:

- A. Accept the Fiscal Year 2011 Interim Financial Statements for the Year Ended June 30, 2011;
- B. Hear a report from staff on the General Fund's preliminary year-end results of revenues and expenditures in relation to budget as of June 30, 2011; and
- C. Approve an allocation of \$11,633 to the Fiscal Year 2011 City Attorney's Office budget and \$188,777 to the Police Department budget from General Fund appropriated reserves to cover unbudgeted expenditures in those departments.

Documents:

- September 13, 2011, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

16. (Cont'd)

Speakers:

Staff: Finance Director Bob Samario, Treasury Manager Jill Taura.

Motion:

Councilmembers House/Hotchkiss to approve Recommendations A and C.

Vote:

Unanimous voice vote.

17. Subject: Public Hearing Regarding Proposed Increase To Rates For Business Sector Recycling Services (630.01)

Recommendation: That Council:

- A. Hold a Public Hearing, as required by State law, regarding a proposed increase to the rates for business sector recycling services effective October 1, 2011; and
- B. Provide direction to staff regarding any changes to the proposed rates for business sector recycling services effective October 1, 2011.

Documents:

- September 13, 2011, report from the Finance Director.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

Public Comment Opened:

4:00 p.m.

Speakers:

Staff: Environmental Services Manager Matt Fore, Finance Director Bob Samario, City Administrator James Armstrong.

Public Comment Closed:

4:16 p.m.

Motion:

Councilmembers House/Francisco to approve the proposed rates for business sector recycling services, with direction to Staff to return to Council with the rate schedule for an additional review during the next budget process.

Vote:

Majority voice vote (Noes: Councilmember Self).

## **RECESS**

4:40 p.m. - 4:56 p.m.

18. Subject: Plan Santa Barbara (PlanSB) General Plan Update (650.05)

Recommendation: That Council consider the Council Ad Hoc Subcommittee recommended amendments to the PlanSB General Plan Update Elements and provide direction to staff.

(Continued from September 8, 2011)

Documents:

- September 8, 2011, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- September 7, 2011, letter from Judy Orias, Historic Resources Element Task Force Chair.

Speakers:

City Planner Bettie Weiss, Principal Transportation Planner Rob Dayton.

Motion:

Councilmembers Francisco/White to direct Staff to retain in its entirety the language for Section H11.3, Inclusionary Housing, as stated in Attachment 3 to the September 8, 2011, Council Agenda Report.

Vote:

Unanimous voice vote.

Motion:

Councilmembers House/Rowse to direct Staff to make the following revisions to Attachment 3 to the Council Agenda Report:

- 1) Remove Section H4.3; and
- 2) Section H4.2: Add language to the end of the sentence, as follows:  
"...region and services to year-round programming."

Vote:

Unanimous voice vote.

Motion:

Councilmember Self to direct Staff to eliminate the language contained in Section H15, Bullet 6.

The motion died for lack of a second.

Motion:

Councilmembers Self/Hotchkiss to approve the proposed language for a Circulation Element policy regarding Safe Routes presented during Staff's presentation on September 8, 2011.

Vote:

Unanimous voice vote.

(Cont'd)

18. (Cont'd)

Motion:

Councilmembers White/Rowse to direct Staff to revise the proposed Plan Santa Barbara documents to reflect the direction of the majority of the Council and return with a Resolution of Findings for adoption of the General Plan which references the Certified Environmental Impact Report for the Plan.

Vote:

Majority voice vote (Noes: Councilmember House).

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Mayor Schneider thanked Fire Chief Andy DiMizio, Santa Barbara County Sheriff Bill Brown, Fire Division Chief Pat McElroy, and many others for coordinating the event this past Sunday to commemorate the 10th Anniversary of 9/11. She also reported that later that day she provided opening remarks to the Santa Barbara Choral Society at their event for the 9/11 Anniversary.
- Councilmember Hotchkiss reported that he attended the Library Volunteer Recognition Breakfast this past weekend.
- Councilmember Rowse reported on the most recent Downtown Parking Committee meeting.

## **ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:30 p.m. in memory of longtime Fiesta Parade participant Hattie Feazelle, who passed away on Sunday at the age of 100.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

\_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING September 27, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance and Ordinance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

### PUBLIC COMMENT

Speakers: Wayne Scoles, Adolph Alvarado, Jim B. Worthen, Kathy Huntington, Gert Walter, K8 Longstory.

### ITEM REMOVED FROM CONSENT CALENDAR

7. Subject: Adopt Increase To Rates For Business Sector Recycling Services Effective October 1, 2011 (630.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution 11-048, Establishing Certain City Fees and Rescinding Resolution Nos. 10-044, 10-093, 10-097, and 10-100 by Increasing Rates for Business Sector Recycling Services, Effective October 1, 2011.

The title of the resolution was read.

(Cont'd)

7. (Cont'd)

Documents:

- September 27, 2011, report from the Finance Director.
- Proposed Resolution.
- September 24, 2011, letter from Paula Westbury.

Motion:

Councilmembers White/House to approve the recommendation;  
Resolution No. 11-066.

Vote:

Majority roll call vote (Noes: Councilmember Self).

**CONSENT CALENDAR (Item Nos. 1 – 6 and 8 - 10)**

The title of the ordinance related to Agenda Item No. 5 was read.

Motion:

Councilmembers Rowse/Francisco to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of August 22, 2011, the regular meeting of August 23, 2011, and the regular meetings of August 30, and September 6, 2011 (cancelled).

Action: Approved the recommendation.

2. Subject: August 2011 Investment Report (260.02)

Recommendation: That Council accept the August 2011 Investment Report.

Action: Approved the recommendation (September 27, 2011, report from the Finance Director; September 24, 2011, letter from Paula Westbury).

3. Subject: Waive Formal Bid Requirements And Authorize Purchase Order For Digital Payment Technologies Parking Equipment (550.08)

Recommendation: That Council find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code Section 4.52.070 (L), and authorize the General Services Manager to issue a purchase order to Digital

(Cont'd)

3. (Cont'd)

Payment Technologies Corporation as the most favorable source for providing the City with eight self-pay parking stations for Waterfront Department parking in an amount not to exceed \$76,000.

Action: Approved the recommendation (September 27, 2011, report from the Interim Waterfront Director; September 24, 2011, letter from Paula Westbury).

4. Subject: Service Agreement With ECCO Wireless (570.03)

Recommendation: That Council approve a four-year service agreement with ECCO Wireless USA, Inc. providing wireless internet service to the Harbor area users on a subscription basis, at no cost to the Waterfront Department.

Speakers:

Staff: Interim Waterfront Director Scott Riedman.

Action: Approved the recommendation; Agreement No. 23,891 (September 27, 2011, report from the Interim Waterfront Director; September 24, 2011, letter from Paula Westbury).

5. Subject: Introduction Of Ordinance For A Lease Agreement With Brophy and Sons, Inc. (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Brophy and Sons, Inc., Doing Business as The Store At Brophy's, for the Retail Space at 119-C Harbor Way, Effective November 3, 2011.

Action: Approved the recommendation (September 27, 2011, report from the Interim Waterfront Director; proposed ordinance).

6. Subject: Appropriation Of Federal Aviation Administration Airport Improvement Program Grants For Santa Barbara Airport (560.04)

Recommendation: That Council:

- A. Increase appropriations and estimated revenue by \$2,149,832 in the Airport's Grant Fund for Construction of Terminal, Phase IV, with \$2,042,340 to be funded from the FAA Airport Improvement Program (AIP) Grant No. 03-06-0235-43, and the City's 5% matching portion of \$107,492 to be funded from Airport reserves above policy; and

(Cont'd)

6. (Cont'd)

- B. Increase appropriations and estimated revenue by \$833,074 in the Airport's Grant Fund for Airport Master Plan, with \$791,420 to be funded from the FAA Airport Improvement Program (AIP) Grant No. 03-06-0235-44, and the City's 5% matching portion of \$41,654 to be funded from Airport reserves above policy.

Action: Approved the recommendations (September 27, 2011, report from the Airport Director).

8. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 860 Jimeno Road/1402 Grand Avenue (640.07)

Recommendation: That Council:

- A. Set the date of October 11, 2011, at 2:00 p.m. for hearing the appeal filed by Tony Fischer, Attorney representing Mike and Linda Cahill, of the Single Family Design Board approval of an application for property owned by Midwest Institution, LLC (Todd Drevo and Melanie Cava), located at 1402 Grand Avenue, Assessor's Parcel No. 029-110-036, A-1/E-1 One-Family Residence Zone, General Plan Designation: Residential 1 Unit per Acre, and for property owned by Joyce and Joe Yob and located at 860 Jimeno Road, Assessor's Parcel No. 029-110-037, E-1 One-Family Residence Zone, General Plan Designation: Residential 1 Unit per Acre. The project includes the construction of a detached two-car garage, the installation of automatic gates at the driveway entry, the landscaping screening of Alan block walls south of the driveway, landscaping of an as-built turnaround area, and the relocation of the property line fence for the 1402 Grand Avenue property, and alterations, including window and door changes, to the house at 860 Jimeno Road; and
- B. Set the date of October 10, 2011, at 1:30 p.m. for a site visit to the property located at 860 Jimeno Road and 1402 Grand Avenue.

Action: Approved the recommendation (September 8, 2011, letter of appeal).

NOTICES

- 9. The City Clerk has on Thursday, September 22, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

10. City Advisory Groups Recruitment:
  - A. The City Clerk's Office will accept applications through Monday, October 17, 2011, at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Thursday, September 29, 2011;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, November 1, 2011, at 2:00 p.m. (Estimated Time), Tuesday, November 15, 2011, at 6:00 p.m., and Tuesday, November 22, 2011, at 2:00 p.m. (Estimated Time); and
  - C. The City Council will make appointments to fill vacancies on various City Advisory Groups on Tuesday, December 13, 2011.

This concluded the Consent Calendar.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **COMMUNITY DEVELOPMENT DEPARTMENT**

11. Subject: Solar Design Recognition Awards 2011 (630.06)

Recommendation: That Council grant the 2011 Solar Design Recognition Awards.

Documents:

- September 27, 2011, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Project Planner Heather Baker.
- Members of the Public: Megan Birney, Community Environmental Council.

By consensus, Mayor Schneider presented certificates and plaques to recipients of the 2011 Solar Design Recognition Awards.

## **PUBLIC HEARINGS**

12. Subject: Appeal Of The Parks And Recreation Commission Action To Deny The Removal Of Two Street Trees Located At 21 North Milpas Street (570.08)

Recommendation: That Council deny the appeal filed by Beverly Iles, and uphold the Parks and Recreation Commission decision to deny the removal of two Ficus nitida (Indian Laurel Fig Trees) located in tree wells at 21 North Milpas Street.

(Cont'd)

12. (Cont'd)

Documents:

- September 27, 2011, report from the Parks and Recreation Director.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- September 27, 2011, letter submitted by Appellant Beverly Iles.

Public Comment Opened:

2:49 p.m.

Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary, Urban Forest Superintendent Tim Downey, Risk Manager Mark Howard.
- Street Tree Advisory Committee: Chair Karen Christman.
- Parks and Recreation Commission: Commissioner Lesley Wiscomb.
- Applicant/Appellant: Beverly Iles.
- Members of the Public: Geof Bard, Upland Research Science Action; Richard Garrett.

Public Comment Closed:

3:56 p.m.

Motion:

Councilmembers White/Hotchkiss to approve the recommendation.

Vote:

Unanimous voice vote.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember White reported on the most recent Fire and Police Commission, and Planning Commission meetings.
- Councilmember Hotchkiss reported on the most recent Restorative Court hearings and stated that he will be attending tonight's Teen Court hearing.
- Councilmember Francisco reported on the Police Department's current police officer strength and the ongoing recruitment process.
- Mayor Schneider reported on her attendance at the League of California Cities Annual Conference.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 4:26 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING October 11, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and Redevelopment Agency to order at 2:01 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

### PUBLIC COMMENT

Speakers: Jim Worthen; Reverend Paul Vit; Angela Bell; Justin; AIE, the person; John De Herrera; Ruth Wilson; David Daniel Diaz; Eva Inbar; Marc McGinnes.

### ITEM REMOVED FROM CONSENT CALENDAR

Mayor Schneider stated that she would abstain from voting on the following item due to her service on the Santa Barbara Partners in Education Board.

2. Subject: Approval To Donate Outdated And/Or Inoperable Computer Workstations To The Santa Barbara County Education Office Computers For Families Program (330.05)

Recommendation: That Council authorize the General Services Manager to donate outdated and/or non-operating computer workstations to the Santa Barbara County Education Office for the Computers for Families Program, as appropriate, through October 31, 2016.

Documents:

October 11, 2011, report from the Assistant City Administrator/Administrative Services Director.

Speakers:

- Members of the Public: AIE, the person.
- Santa Barbara County Education Office: Community Education Director Ben Romo.

Motion:

Councilmembers House/White to approve the recommendation.

Vote:

Unanimous voice vote (Abstention: Mayor Schneider).

**CONSENT CALENDAR (Item Nos. 1, 3 – 7, 10, and 11)**

The title of the ordinance related to Agenda Item No. 4 was read.

Motion:

Councilmembers House/Francisco to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote.

1. Subject: Fiscal Year 2012 Interim Financial Statements For The Two Months Ended August 31, 2011 (250.02)

Recommendation: That Council accept the Fiscal Year 2012 Interim Financial Statements For The Two Months Ended August 31, 2011.

Action: Approved the recommendation (October 11, 2011, report from the Finance Director).

3. Subject: Self Insured Workers' Compensation Program Annual Report (350.08)

Recommendation: That Council receive the Self Insured Workers' Compensation Program Annual Report for the year ended June 30, 2011.

Action: Approved the recommendation (October 11, 2011, report from the Finance Director).

4. Subject: Introduction Of An Ordinance For A Lease With Greyhound Lines, Inc. (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a Ten-Year Lease with Two Five-Year Options with Greyhound Lines, Inc., to Lease the City Owned Building at 224 Chapala Street, for a Passenger Bus Service Facility, Effective November 17, 2011.

Speakers:

Staff: Housing and Redevelopment Manager Brian Bosse.

Action: Approved the recommendation (October 11, 2011, report from the Assistant City Administrator/Community Development Director; proposed ordinance).

5. Subject: Second Supplemental Agreement To Santa Barbara City College Joint Use Agreement Regarding Joint Use Of Vehicles (150.05)

Recommendation: That Council authorize the Parks and Recreation Director to execute a second Supplemental Agreement to Agreement No. 12,427, Joint Use Agreement with Santa Barbara City College (SBCC), for the shared use of vehicles.

Action: Approved the recommendation; Agreement No. 23,900 (October 11, 2011, report from the Parks and Recreation Director).

6. Subject: Agreement For Surface Water And Groundwater Monitoring (540.10)

Recommendation: That Council authorize the Public Works Director to execute a joint funding agreement with the United States Geological Survey for water resources investigations related to surface water and groundwater measurements, for the period of November 1, 2011, through October 31, 2012, with a City cost share not to exceed \$111,150.

Action: Approved the recommendation; Agreement No. 23,901 (October 11, 2011, report from the Public Works Director).

7. Subject: Contract For Preliminary Design Services For The El Estero Wastewater Treatment Plant Aeration System Improvements (540.13)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services contract with Brown and Caldwell in the amount of \$362,624 for Preliminary Design Services for the El Estero Wastewater Treatment Plant Aeration System Improvements Project, and authorize the Public Works Director to approve expenditures of up to \$36,262 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work.

(Cont'd)

7. (Cont'd)

Speakers:

Staff: Water Resources Manager Rebecca Bjork.

Action: Approved the recommendation; Contract No. 23,902 (October 11, 2011, report from the Public Works Director).

Agenda Item Nos. 8 and 9 appear in the Redevelopment Agency minutes.

## NOTICES

10. The City Clerk has on Thursday, October 6, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
11. The public hearing scheduled for October 11, 2011, at 2:00 p.m. to hear an appeal of the Parks and Recreation Commission's denial of an application for the property located at 740 Flora Vista Drive, has been cancelled due to withdrawal of the appeal.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to hear a report from the Risk Manager on the City's various insurance programs.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### AIRPORT DEPARTMENT

12. Subject: Contract With Coffman Associates For Airport Master Plan (560.09)

Recommendation: That Council approve and authorize the Airport Director to execute a contract with Coffman Associates, a Missouri Corporation, for the preparation of an Airport Master Plan in an amount not to exceed \$893,595.

Documents:

- October 11, 2011, report from the Airport Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Airport Director Karen Ramsdell.

(Cont'd)

12. (Cont'd)

Motion:

Councilmembers White/Hotchkiss to approve the recommendation;  
Contract No. 23,903.

Vote:

Unanimous voice vote.

## **PUBLIC HEARINGS**

Councilmember House stated he would abstain from voting on the following item due to a conflict of interest related to his residency at real property located near the subject of the agenda item.

13. Subject: Appeal Of 860 Jimeno Road And 1402 Grand Avenue Single Family Design Board Approvals (640.07)

Recommendation: That Council deny the appeal of Tony Fisher, Attorney representing Mike and Linda Cahill, and uphold the Single Family Design Board (SFDB) Approvals of the as-built window and door changes to 860 Jimeno Road and proposed entry gate, turnaround, two-car garage, and relocation of property line fence for 1402 Grand Avenue.

Documents:

- October 11, 2011, report from the Assistant City Administrator/Community Development Director.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- October 11, 2011, email communications from Attorney Tony Fischer, representing the Appellant.

Public Comment Opened:

2:50 p.m.

Speakers:

- Staff: Assistant Planner Suzanne Riegle, City Planner Bettie Weiss.
- Single Family Design Board: Chair Glen Deisler.
- Appellant: Attorney Tony Fischer, Linda Cahill, Mike Cahill.
- Applicant: Attorney Kathleen Weinheimer, Agent Richele Mailand, Todd Drevo.
- Members of the Public: Beth Vos.

Public Comment Closed:

4:01 p.m.

(Cont'd)

13. (Cont'd)

Motion:

Councilmembers White/Francisco to deny the appeal, with the following conditions:

- 1) The Single Family Design Board landscape professional shall confirm that the species of plants or trees proposed for planting on the eastern side of the garage will normally not exceed 12 feet in height; and
- 2) A qualified arborist shall provide recommendations for construction methods and protection of the oak tree adjacent to the garage.

Vote:

Unanimous voice vote (Abstention: Councilmember House).

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Councilmember White reported on the most recent Planning Commission meeting.

### **CLOSED SESSIONS**

14. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Santa Barbara Channelkeeper v. City of Santa Barbara, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration: 30 minutes; anytime

Report: None anticipated

Documents:

October 11, 2011, report from the City Attorney.

Time:

4:33 p.m. - 5:23 p.m. Councilmember House was absent.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:24 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

\_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## SPECIAL MEETING December 1, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 9:01 a.m.

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### PUBLIC COMMENT

No one wished to speak.

### NOTICES

The City Clerk has on Friday, November 18, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

### CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

#### COMMUNITY DEVELOPMENT DEPARTMENT

#### **Subject: Plan Santa Barbara (PlanSB) General Plan Update (650.05)**

Recommendation: That Council:

- A. Receive a staff presentation, and conduct a public hearing on the proposed General Plan Update; and

(Cont'd)

**Subject: Plan Santa Barbara (PlanSB) General Plan Update (Cont'd)**

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the 2011 General Plan Update and Making Environmental Findings Pursuant to the California Environmental Quality Act, and adopting the Mitigation Monitoring and Reporting Program.

Documents:

- December 1, 2011, report from the Assistant City Administrator/Community Development Director.
- Proposed Resolution.
- CD of Santa Barbara General Plan Update, with Appendices, dated December 2011.
- List of Errata/Minor Corrections to General Plan Documents, submitted by Staff.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- November 28, 2011, letter from the Allied Neighborhoods Association.
- November 28, 2011, email from Joe Rution.
- November 30, 2011, letter from the Citizens Planning Association.
- November 30, 2011, email from Paul Hernadi.
- December 1, 2011, letter from Alexander Pujo.

Public Comment Opened:

9:02 a.m.

Speakers:

- Staff: Principal Planner John Ledbetter, City Planner Bettie Weiss, Principal Transportation Planner Rob Dayton, Project Planner Beatriz Gularte.
- Members of the Public: Stella Larson, Historic Resources Element Task Force; Ginny Brush, Santa Barbara County Arts Commission; Anne Patterson, Coalition for Community Wellness; Sheila Lodge; Peter Hunt; Lee Moldaver; Joe Rution, Bungalow Haven Neighborhood Association; Cathie McCammon, Allied Neighborhoods Association; Alex Pujo; Paul Hernadi, Michael Gray, and Mary Louise Days, Citizens Planning Association; Kellam de Forest, Historic Resources Element Task Force; Mickey Flacks, Santa Barbara For All and Santa Barbara County Action Network; Takashi Wada, Santa Barbara County Public Health Department.

Public Comment Closed:

9:57 a.m.

(Cont'd)

**Subject: Plan Santa Barbara (PlanSB) General Plan Update (Cont'd)**

**Discussion:**

Staff described key policies and programs of the General Plan Update, including: Growth Management, the concept of living within limited resources while allowing commercial growth to occur; the new Historic Resources Element; the Average Unit Size Density Incentive Program, which replaces the Variable Density Program and encourages smaller unit sizes and buildings, with incentives focused in the Downtown, CM Zone and Milpas Street; and the Circulation Element, which recognizes the key relationship circulation has to future residential growth. Also explained were the components of the environmental review associated with the General Plan Update; these included two levels of impacts, the analysis of alternatives, and mitigation monitoring and reporting. Finally, Staff outlined the public review and comment process followed in developing the General Plan Update documents, as well as the proposed resolution and required environmental findings for adoption of the Plan.

**Motion:**

Councilmembers Francisco/Hotchkiss to approve recommendation B; Resolution No. 11-079.

**Vote:**

Unanimous roll call vote.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 11:02 a.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING December 13, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and Redevelopment Agency to order at 2:02 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: Randy Rowse.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### PUBLIC COMMENT

Speakers: Kenneth Loch; Ruth Wilson; Patricia Bartoli-Wible, Southern California Edison; Kate Longstory.

### CONSENT CALENDAR (Item Nos. 1 – 13)

The titles of the resolution and ordinances related to Consent Calendar items were read.

Motion:

Council/Agency members Francisco/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Council/Agency member Rowse).

## CITY COUNCIL

1. Subject: Redevelopment Agency Continuation Ordinance (620.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, to Take Effect Only if Assembly Bills 1X 26 and 27 are Upheld and the Stay is Lifted, to Make Remittances, Under Protest, Required by AB 1X 27 in Order to Avoid Dissolution of the Redevelopment Agency of the City of Santa Barbara; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara, to Take Effect Only if Assembly Bills 1X 26 and 27 are Upheld and the Stay is Lifted, Determining that it Will Comply, Under Protest, with the Voluntary Alternative Redevelopment Program Pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in Order to Permit the Continued Existence and Operation of the Redevelopment Agency of the City of Santa Barbara.

Action: Approved the recommendations; Resolution No. 11-077 (December 13, 2011, report from the Assistant City Administrator/Community Development Director; proposed resolution and ordinance).

2. Subject: Adoption Of An Ordinance For A Lease With Sushi Go Go (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Kyung and Sarah Wang, Doing Business as Sushi Go Go, for the Restaurant at 119-B Harbor Way, Effective January 13, 2012.

Action: Approved the recommendation; Ordinance No. 5577; Agreement No. 23,965.

3. Subject: Contract with InterVISTAS Consulting, LLC, for Air Service Development (560.01)

Recommendation: That Council authorize the Airport Director to execute a contract with InterVISTAS Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$80,000.

Action: Approved the recommendation; Contract No. 23,966 (December 13, 2011, report from the Airport Director).

4. Subject: Wetland Mitigation Monitoring Year 6 Contract (560.04)

Recommendation: That Council approve and authorize the Airport Director to execute a professional services contract with URS Corporation for post-construction biological monitoring associated with the Airfield Safety Projects and other small projects at the Santa Barbara Airport in an amount not to exceed \$60,852, and authorize the Airport Director to approve expenditures up to \$6,085 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,967 (December 13, 2011, report from the Airport Director).

5. Subject: Purchase Order With Cardno ENTRIX To Provide Biological Services For The Andrée Clark Bird Refuge Vegetation Maintenance And Restoration Project (570.05)

Recommendation: That Council authorize the General Services Manager to increase a purchase order with Cardno ENTRIX by \$21,191, for a total cost of \$39,328, to provide biological consulting services for the construction and restoration phase of the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project.

Action: Approved the recommendation (December 13, 2011, report from the Parks and Recreation Director).

6. Subject: Contract For Final Design Services For The Lower Mesa Lane Stairs Replacement Project (570.05)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering in the amount of \$52,398.30 for final design services for the Lower Mesa Lane Stairs Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,240 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,968 (December 13, 2011, joint report from the Public Works and Parks and Recreation Directors).

7. Subject: Contract For Design Of Zone 5 Pavement Maintenance Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Flowers & Associates in the amount of \$80,479 for design services for the Zone 5 Pavement Maintenance Project, and authorize the Public Works Director to approve expenditures of up to \$8,048 for extra services of Flowers & Associates that may result from necessary changes in the scope of work.

(Cont'd)

7. (Cont'd)

Action: Approved the recommendation; Contract No. 23,969 (December 13, 2011, report from the Public Works Director).

8. Subject: Response To Grand Jury Report Regarding Patrol Vehicle Cameras (150.04)

Recommendation: That Council review and approve a draft letter in response to the findings and recommendations of the 2011-2012 Santa Barbara County Civil Grand Jury entitled, "Grand Jury Endorses Patrol Vehicle Cameras."

Action: Approved the recommendation (December 13, 2011, report from the Police Chief).

9. Subject: November 2011 Investment Report (260.02)

Recommendation: That Council accept the November 2011 Investment Report.

Action: Approved the recommendation (December 13, 2011, report from the Finance Director).

### REDEVELOPMENT AGENCY

10. Subject: Redevelopment Agency 2011 Comprehensive Annual Financial Report (620.01)

Recommendation: That Council and the Redevelopment Agency Board:

- A. Approve the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2011, consisting of the Auditor's Opinion and Financial Statements, and the Auditor's Compliance Report; and
- B. Direct staff to submit required copies of the Report to the California State Controller's Office.

Action: Approved the recommendations (December 13, 2011, report from the Assistant City Administrator/Community Development Director/Deputy Director; Redevelopment Agency Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2011).

### NOTICES

11. The City Clerk has on Thursday, December 8, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

12. Cancellation of the regular City Council and Redevelopment Agency meetings of December 20, 2011, the regular City Council meeting of December 27, 2011, and of the regular City Council and Redevelopment Agency meetings of January 3, 2012.
13. Received a letter of resignation from Neighborhood Advisory Council Member Raquel Vela Mendoza; the vacancies will be part of the next City Advisory Group recruitment.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to review Comprehensive Annual Financial Reports for the Fiscal Year Ended June 30, 2011, for both the Redevelopment Agency and the City. The Annual Report for the Redevelopment Agency was approved by the Council/Agency as part of this Agenda's Consent Calendar (Item No. 10); the Annual Report for the City will be presented to the full Council as Agenda Item No. 15.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### COMMUNITY DEVELOPMENT DEPARTMENT

14. Subject: Adoption Of Updated Design Review General Guidelines And Meeting Procedures For Design Review Boards (640.02)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Approve Revised General Design Guidelines and Meeting Procedures for the Historic Landmarks Commission, Architectural Board of Review, and Single Family Design Board.

#### Documents:

- December 13, 2011, report from the Assistant City Administrator/Community Development Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

#### Speakers:

Staff: Project Planner Heather Baker, City Administrator James Armstrong, City Attorney Stephen Wiley, City Planner Bettie Weiss.

(Cont'd)

14. (Cont'd)

Motion:

Councilmembers White/Hotchkiss to approve the recommendation;  
Resolution No. 11-078.

Vote:

Unanimous roll call vote (Absent: Councilmember Rowse).

## FINANCE DEPARTMENT

15. Subject: Comprehensive Annual Financial Report (CAFR) For The Fiscal Year Ended June 30, 2011 (250.02)

Recommendation: That Council:

- A. Receive a report from staff on the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2011; and
- B. Accept the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2011.

Documents:

- December 13, 2011, report from the Finance Director.
- City of Santa Barbara Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2011.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Finance Director Robert Samario.
- Lance, Soll & Lunghard (City Auditor): Richard Kikuchi.
- Members of the Public: Ethan Shenkman, Annie McGill.

Motion:

Councilmembers Francisco/House to approve recommendation B.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Councilmember House left the meeting at 3:03 p.m. and returned at 3:13 p.m.

16. Subject: Zone One Solid Waste Franchise Recommendation (510.04)

Recommendation: That Council authorize the Finance Director to enter into exclusive negotiations with MarBorg Industries for a Citywide Solid Waste Franchise Agreement contingent on MarBorg's written agreement, in a form acceptable to the City Attorney, to do the following:

- A. Provide the City with an option to extend the term of the current franchise agreement for an additional year should agreement not be reached before June 30, 2012;

(Cont'd)

16. (Cont'd)

- B. Provide a deposit to cover the City's costs for HF&H's consultant services related to the franchise renewal process; and
- C. Provide City staff with access to all available financial information about the City's franchise zones, including, but not limited to, MarBorg's operations, revenues, costs, and profits.

Documents:

- December 13, 2011, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by Derek Carlson, representing MarBorg Industries.
- Draft "Standardized Rate Revenue Comparison," submitted by MarBorg Industries.

Speakers:

- Staff: Employee Relations Manager Kristy Schmidt, Environmental Services Manager Matt Fore, City Administrator James Armstrong, City Attorney Stephen Wiley, Finance Director Robert Samario.
- MarBorg Industries: Derek Carlson, Business Manager.
- Members of the Public: Cathy Murillo.
- HF&H (Consultant to City): Senior Vice President Laith Ezzet.

Motion:

Councilmembers Hotchkiss/Francisco to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

**RECESS**

4:22 p.m. - 4:35 p.m.

PUBLIC WORKS DEPARTMENT

17. Subject: Annual Water Supply Management Report (540.08)

Recommendation: That Council approve and adopt the City of Santa Barbara's Water Supply Management Report for the 2011 water year, finding that groundwater resources are in long-term balance in accordance with the conjunctive management element of the City's Long-Term Water Supply Plan.

Documents:

- December 13, 2011, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

17. (Cont'd)

Speakers:

Staff: Water Resources Manager Rebecca Bjork, Water Resources Supervisor Bill Ferguson.

Motion:

Councilmembers Francisco/Self to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

## MAYOR AND COUNCIL REPORTS

18. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's advisory groups.

Documents:

December 13, 2011, report from the Assistant City Administrator/ Administrative Services Director.

Speakers:

Members of the Public: Robert Burke.

Access Advisory Committee:

Nominees for Disability Community:

Robert Burnham, Ken McLellan, Scott Smigel.

Vote:

- For Burnham: Councilmembers Francisco, Hotchkiss, House, Self, White, Mayor Schneider.
- For McLellan: Councilmembers Francisco, Hotchkiss, House, Self, Mayor Schneider.
- For Smigel: Councilmember White.

Appointments:

Robert Burnham and Ken McLellan were reappointed as representatives of the Disability Community for terms expiring December 31, 2014.

Architectural Board of Review:

Nominees for Licensed Architect/Professional Qualifications/Public at Large category:

Kirk Gradin, Robert Kupiec, Stephanie Poole.

(Cont'd)

18. (Cont'd)

Architectural Board of Review (Cont'd):

Vote:

- For Gradin: Councilmembers Francisco, Hotchkiss, House, Self, White, Mayor Schneider.
- For Kupiec: Councilmembers Francisco, White.
- For Poole: Councilmembers Hotchkiss, House, Self, Mayor Schneider.

Appointments:

Kirk Gradin and Stephanie Poole were appointed for terms expiring December 31, 2015.

Arts Advisory Committee:

Nominees:

Darian Bleecher, Charmaine Curtis Jacobs, Carol Taylor, Thea Vandervoort, Nathan Vonk.

Vote:

- For Bleecher: Councilmembers Francisco, Hotchkiss, House, Self, White, Mayor Schneider.
- For Jacobs: Councilmember White.
- For Taylor: Councilmembers Francisco, Hotchkiss, House, Self, White, Mayor Schneider.
- For Vandervoort: Councilmember House.
- For Vonk: Councilmembers Francisco, Hotchkiss, Self, Mayor Schneider.

Appointments:

Darian Bleecher was reappointed, and Carol Taylor and Nathan Vonk were appointed for terms expiring December 31, 2015.

Civil Service Commission:

Motion:

Mayor Schneider/Councilmember House to reappoint Alan Kasehagen and Donna Lewis.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

Alan Kasehagen and Donna Lewis were reappointed for terms expiring December 31, 2015.

(Cont'd)

18. (Cont'd)

Community Development and Human Services Committee:

Motion:

Councilmembers House/Hotchkiss to reappoint Veronica Loza and Daniel Ramirez.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

Veronica Loza was reappointed to the Eastside Neighborhood category, and Daniel Ramirez was reappointed to the Youth Oriented Services category, for terms expiring December 31, 2015.

Community Events & Festivals Committee:

Motion:

Councilmembers House/Hotchkiss to reappoint Jason McCarthy and appoint Laura Inks and Kate Schwab.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

Jason McCarthy was reappointed to the Business/Lodging/Retail Industry category for a term expiring December 31, 2015, Laura Inks was appointed to the Cultural Arts category for a term expiring December 31, 2015, and Kate Schwab was appointed to represent the Public at Large for a term expiring December 31, 2014.

Creeks Advisory Committee:

Motion:

Councilmembers House/Hotchkiss to reappoint Paul Bullock, Stephen MacIntosh, Lee Moldaver, and Kathleen Weber.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

Paul Bullock was reappointed to the Hotel/Lodging Industry category, and Stephen MacIntosh, Lee Moldaver and Kathleen Weber were reappointed to the Experience in Ocean Use, Business or Environmental Issues/Public at Large category, for terms expiring December 31, 2015.

(Cont'd)

18. (Cont'd)

Downtown Parking Committee:

Motion:

Councilmembers House/Hotchkiss to reappoint William Collyer and Tom Williams.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

William Collyer and Tom Williams were reappointed for terms expiring December 31, 2015.

Fire and Police Commission:

Nominees:

Jennifer Christensen, Thomas Parker, John Torell, Paul Zink.

Vote:

- For Christensen: Councilmembers Francisco, Hotchkiss, House, Self, White, Mayor Schneider.
- For Parker: Councilmembers Francisco, Hotchkiss, Self.
- For Torell: Mayor Schneider.
- For Zink: Councilmembers House, White.

Second Vote:

- For Parker: Councilmembers Francisco, Hotchkiss, Self.
- For Torell: Councilmembers House, White, Mayor Schneider.

Councilmember Francisco changed his vote to be for Torell.

Appointments:

Jennifer Christensen was reappointed, and John Torell was appointed for terms expiring December 31, 2015.

Harbor Commission:

Motion:

Councilmembers Hotchkiss/White to reappoint Frank Kelly and appoint Helene Webb.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

(Cont'd)

18. (Cont'd)

Harbor Commission (Cont'd):

Appointments:

Frank Kelly was reappointed, and Helene Webb was appointed for terms expiring December 31, 2015.

Historic Landmarks Commission:

Motion:

Mayor Schneider/Councilmember White to reappoint Michael Drury and appoint Barry Winick.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

Michael Drury was reappointed, and Barry Winick was appointed for terms expiring December 31, 2015.

Housing Authority Commission:

Motion:

Councilmembers Hotchkiss/Francisco to appoint Victor Suhr.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointment:

Victor Suhr was appointed to the Senior Tenant category for a term beginning February 16, 2012, and expiring February 15, 2014.

Neighborhood Advisory Council:

Motion:

Councilmembers Francisco/White to reappoint Teresa Peña and Sally Kingston.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

Teresa Peña was reappointed to represent the Eastside Neighborhood, and Sally Kingston was reappointed to represent the Public at Large, for terms expiring December 31, 2015.

(Cont'd)

18. (Cont'd)

Parks and Recreation Commission:

Nominees:

Charmaine Curtis Jacobs, Charles Trentacosti.

Vote:

- For Jacobs: Councilmember House.
- For Trentacosti: Councilmembers Francisco, Hotchkiss, Self, White, Mayor Schneider.

Appointment:

Charles Trentacosti was reappointed for a term expiring December 31, 2015.

Planning Commission:

Nominees:

John Campanella, June Pujo, Joseph Rution, Addison Thompson.

Vote:

- For Campanella: Councilmembers House, White.
- For Pujo: Councilmembers House, White, Mayor Schneider.
- For Rution: Councilmembers Francisco, Hotchkiss, Self.
- For Thompson: Councilmembers Francisco, Hotchkiss, Self, Mayor Schneider.

Appointment:

Addison Thompson was appointed for a term expiring December 31, 2015.

Councilmember Hotchkiss nominated Dan Secord.

Second Vote:

- For Campanella: None.
- For Pujo: Councilmembers House, White, Mayor Schneider.
- For Rution: Councilmembers Francisco, Hotchkiss, Self.
- For Secord: None.

Third Vote:

- For Campanella: Councilmembers White, Mayor Schneider.
- For Pujo: Councilmember House.
- For Rution: Councilmembers Francisco, Self.
- For Secord: Councilmember Hotchkiss.

(Cont'd)

18. (Cont'd)

Planning Commission (Cont'd):

By consensus, the Council continued consideration of an appointment to fill the second vacancy to January 2012 when a full Council will be present.

Rental Housing Mediation Task Force:

Motion:

Councilmembers House/Hotchkiss to appoint David McDermott and reappoint David Brainard.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointments:

David McDermott was appointed to the Homeowner category, and David Brainard was reappointed to the Tenant category, for terms expiring December 31, 2015.

Water Commission:

Motion:

Councilmembers House/Hotchkiss to reappoint Barry Keller.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Appointment:

Barry Keller was reappointed for a term expiring December 31, 2015.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Self mentioned that the Metropolitan Transit District will be serving a second annual holiday dinner at Casa Esperanza.
- Mayor Schneider acknowledged the efforts of all those involved in coordination of the Parade of Lights and the Milpas Parade.

## **COUNCIL AND STAFF COMMUNICATIONS**

Information:

Councilmember House, in anticipation of his absence from the Council swearing-in ceremony on January 10, 2012, thanked Councilmember Self for her service on the Council.

## RECESS

The Mayor recessed the meeting at 5:17 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 19, and she stated there would be no reportable action taken during the closed session.

## CLOSED SESSIONS

19. Subject: Conference with Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Santa Barbara Channelkeeper v. City of Santa Barbara, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

December 13, 2011, report from the City Attorney.

Time:

5:21 p.m. - 7:10 p.m. Councilmembers Rowse and Self were absent.

No report made.

## ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

\_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



Agenda Item No. \_\_\_\_\_

File Code No. 540.05

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Water Resources Division, Public Works Department

**SUBJECT:** Resolution Approving Application For Water Smart Grant Program

### **RECOMMENDATION:**

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Submit an Application, Execute a Grant Agreement in a Form Approved By the City Attorney, and Take Other Actions as May Be Necessary for City Participation in the United States Bureau of Reclamation Water Smart Grant Program, With a City Matching Contribution Not to Exceed \$55,000.

### **DISCUSSION:**

Ongoing water conservation efforts are requirements of State mandates for water use reduction and to preserve the City's eligibility for State grants and low-interest loans. Increased water conservation is also a key component of the City's recently adopted Long-Term Water Supply Plan. To assist with these efforts, staff is pursuing grant funding through the United States Bureau of Reclamation's Water Smart Grant Program, which provides funding to water purveyors for projects that promote water conservation, particularly in the areas of metering and water management.

Water Resources staff has applied for \$55,000 of matching contribution grant-funding for a total project amount of \$110,000. The funding will be used for a pilot project that focuses on water conservation through improved water metering and enhanced customer awareness. The project will also be designed to reduce distribution system losses through real-time data collection. The proposed project location is a relatively small well-defined water zone with one metered input and 54-metered outputs (water customers). The customers in this zone account for approximately 1% of the City's single-family residential water use.

Approximately \$20,000 of the grant funding will be used to purchase 54 automated meters and supporting equipment. The remaining \$90,000 will be used for system installation and operation, extensive public outreach to the customers in the project

area, professional support for the creation of a web interface and data hosting site, and the necessary staff time for managing the project.

Customers will be offered web access and/or in-home devices which will provide real-time water consumption information to assist them with identifying specific water-saving possibilities. Customers will also be able to sign up to receive email or text message notifications if a leak is detected on their properties. In the event that a customer is uninterested in participating in the pilot project, their water meter will be upgraded with an automated meter, but the customer will not receive any digital notification regarding their water consumption, and the program will continue without their participation.

**BUDGET/FINANCIAL INFORMATION:**

Staff anticipates a maximum project cost of up to \$110,000, with a City's matching contribution of 50%, or \$55,000. The City's contribution is anticipated to be largely through in-kind contributions of staff time but, if needed, there are sufficient funds in the Water fund for this project.

**SUSTAINABILITY IMPACT:**

The pilot project will demonstrate the effectiveness of automated meter reading with regard to improving water management and promoting water conservation. The project will also provide the City with a new and innovative method for helping to meet State mandates for water-use reductions.

**PREPARED BY:** Rebecca Bjork, Water Resources Manager/TL/mh

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SUBMIT AN APPLICATION, EXECUTE A GRANT AGREEMENT IN A FORM APPROVED BY THE CITY ATTORNEY, AND TAKE OTHER ACTIONS AS MAY BE NECESSARY FOR CITY PARTICIPATION IN THE UNITED STATES BUREAU OF RECLAMATION WATER SMART GRANT PROGRAM WITH A CITY MATCHING CONTRIBUTION NOT TO EXCEED \$55,000

WHEREAS, the United States Bureau of Reclamation (USBR) has enacted the Water Smart Grant Program to support projects that promote water efficiency;

WHEREAS, the City is in support of projects that increase the long-term reliability of the municipal water supply; and

WHEREAS, the City proposes to enter into an agreement with the USBR to meet all established deadlines for the purposes of the grant program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

The Public Works Director, or her designee, is hereby authorized and empowered to submit a grant application to the USBR Water Smart Grant Program, execute in the name of the City of Santa Barbara all necessary applications, contracts, payment requests, agreements and amendments hereto for the purposes of securing grant funds, and to implement and carry out the project identified in the grant application, with an aggregate City cost share not to exceed \$55,000.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Business Division, Waterfront Department

**SUBJECT:** Lease Agreement With Barbara Sonia Adams, Doing Business As Madame Rosinka

### RECOMMENDATION:

That Council approve a five-year lease agreement with Barbara Sonia Adams, doing business as Madame Rosinka at 221-B Stearns Wharf, at a rent of \$750 per month.

### DISCUSSION:

Rachel Adams, professionally known as Madame Rosinka, operated the palm reading business on Stearns Wharf beginning in 1951. At that time, the Castagnola family owned and operated the Wharf. The business has been an institution on the Wharf for over 60 years. Following the Harbor Restaurant fire of April 1973, the City eventually acquired the Wharf and began redeveloping it. Rachel Adams and her successors have leased the 153 square foot shop at 221-B Stearns Wharf from the City since the Wharf re-opened in 1981.

The current lease expired on September 30, 2011. The rent is currently \$750 per month (\$4.91 per square foot).

The basic lease terms of the proposed lease are:

- Lessee: Barbara Sonia Adams (Rachel Adams' daughter)
- Five-year term (November 30, 2016)
- Base rent of \$750 per month
- Permitted uses: Only as a family operated palm reading establishment and for the sale of promotional material carrying the Tenant's logo.

Ms. Adams is considered by the Department to be a tenant in good standing. She is always prompt with rent payments, is a member of the Stearns Wharf Business Association, and has no lease compliance problems on file. The Harbor Commission recommended approval of the lease agreement at the January 19, 2012 meeting.

Council Agenda Report  
Lease Agreement With Barbara Sonia Adams, Doing Business As Madame Rosinka  
February 7, 2012  
Page 2

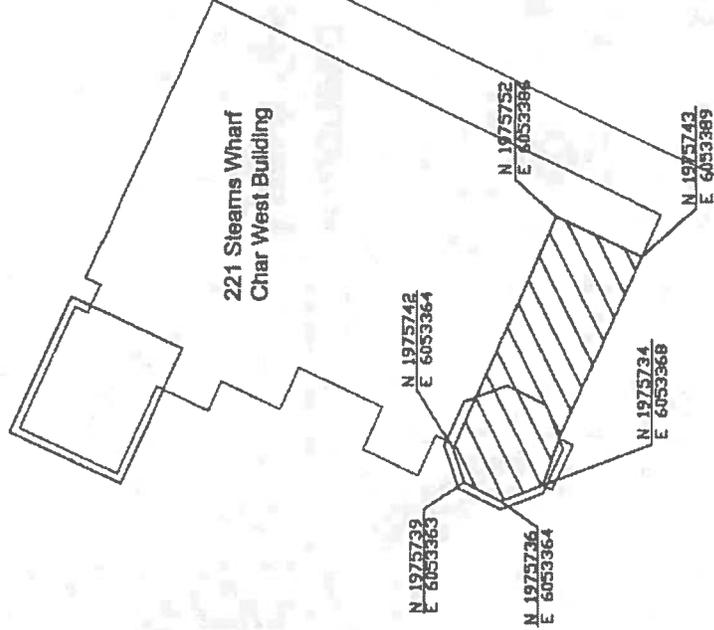
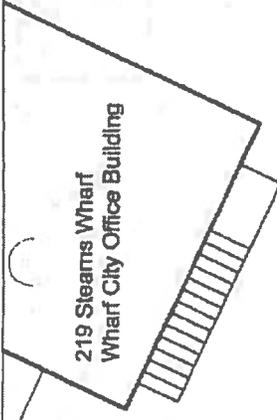
**ATTACHMENT:** Site plan

**PREPARED BY:** Scott Riedman, Waterfront Director

**APPROVED BY:** City Administrator's Office

# ATTACHMENT

**Madame Rosinka**  
**Exhibit "A"**  
**153 Square Feet**



Proposed Lease Area		DATE	APPROVED BY	OWNER BY
Exhibit A		4/23/03	A.W.Pyza	L.Nelson
REVISIONS	ADDRESS	221 Stearns Wharf		SHEET NO
	City of Santa Barbara			2 of 2
	Waterfront Department			DRAWING NO
				2210012



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Business Division, Waterfront Department

**SUBJECT:** Lease Agreement With Ty Warner Sea Center For Office Space On Stearns Wharf

### **RECOMMENDATION:**

That Council approve a five-year lease agreement with the Santa Barbara Museum of Natural History's Ty Warner Sea Center, for second floor office space at 219-E Stearns Wharf, at an initial rent of \$610 per month.

### **DISCUSSION:**

The Ty Warner Sea Center has leased the 205 square foot office space at 219-E Stearns Wharf since assuming the lease via a Request for Proposals (RFP) process in December 2004. The space also has a small 84 square foot balcony overlooking the Wharf. The space is accessible only by entering through the Wharf Maintenance office (Attachment).

The current lease expired on October 31, 2011. The rent is currently \$610 per month (\$2.98 per interior square foot), subject to annual CPI increases.

The basic terms of the proposed lease are:

- Five-year term (February 28, 2017)
- Initial gross rent of \$610 per month, subject to annual CPI increases
- Permitted uses: a business office, storage, and meeting room for Ty Warner Sea Center staff

All other terms of the lease remain unchanged.

The Department considers the Ty Warner Sea Center a tenant in good standing; and the Harbor Commission recommended approval of the new lease at the January 19, 2012 meeting.

Council Agenda Report  
Lease Agreement With Ty Warner Sea Center For Office Space On Stearns Wharf  
February 7, 2011  
Page 2

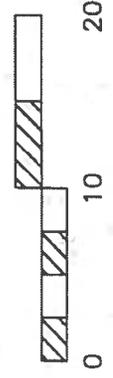
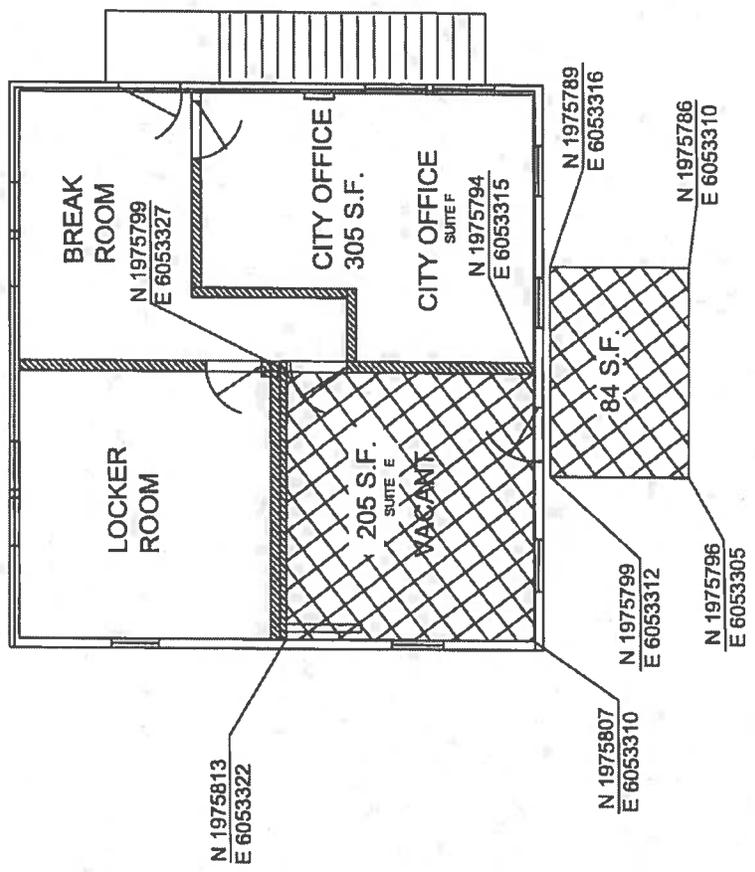
**ATTACHMENT:** Site Plan

**PREPARED BY:** Scott Riedman, Waterfront Director

**APPROVED BY:** City Administrator's Office

Ty Warner Sea Center Office  
 Exhibit "A"  
 219 Stearns Wharf  
 Suite E (2nd Floor)

ATTACHMENT



Proposed Lease Area  
 Exhibit A

REVISIONS	DATE: 3/6/07	APPROVED BY:	DRAWN BY: T. LAMER
	ADDRESS: 219 Stearns Wharf, Suite E		SHEET NO. 2 of 2
		City of Santa Barbara	DRAWING NO. 2190-013A
		Waterfront Department	



Agenda Item No. \_\_\_\_\_

File Code No. 530.04

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Contract For Preliminary Design For The Las Positas Road/Cliff Drive Intersection Improvements Project

### RECOMMENDATION:

That Council authorize the Public Works Director to execute a standard City Professional Services Contract with Penfield & Smith in the amount of \$63,332 for preliminary design services for the Las Positas Road/Cliff Drive Intersection Improvements Project, and authorize the Public Works Director to approve expenditures of up to \$6,333 for extra services of Penfield & Smith that may result from necessary changes in the scope of work.

### DISCUSSION:

#### PROJECT DESCRIPTION

The Las Positas Road/Cliff Drive Intersection (Intersection) is located in the southwesterly area of the City, at the southern terminus of Las Positas Road, and is owned and operated by Caltrans. The Intersection provides residential, commercial, and recreational access to the surrounding areas, including Arroyo Burro Beach County Park, Douglas Family Preserve, Elings Park, and the Santa Barbara Waterfront.

The purpose of the Las Positas Road/Cliff Drive Intersection Improvements Project (Project) is to improve traffic operations and reduce congestion at the Intersection. The existing three-way stop-controlled intersection experiences deficient traffic operations during both the morning (AM) and evening (PM) peak hours, including recurrent congestion and queuing during the PM peak hour. The Intersection currently operates at Level of Service (LOS) F, on a scale of A (best) through F (worst), during both the AM and PM peak hours. This means the number of vehicles passing through the intersection significantly exceeds capacity, causing substantial delay and as such, it is considered deficient, based upon the City of Santa Barbara's intersection Level of Service standard of LOS C. Traffic operations at this Intersection are projected to continue to degrade without the implementation of any improvements at this location.

## BACKGROUND

In 2001, to qualify for grant funding, the City initiated the preparation of a Caltrans Project Study Report (PSR), which was subsequently approved by Caltrans in 2002. The PSR evaluated two alternatives (a traffic signal and a roundabout) to improve traffic operations at the Intersection. Based on the potential operational improvements, and considering that the construction cost estimates for each alternative were similar at that time, the roundabout was considered the preferred alternative in the approved PSR.

Upon approval of the PSR in 2002, the Santa Barbara County Association of Governments recommended the Project for \$750,000 of funding (full funding at that time), which is currently programmed in the Fiscal Year 2015-2016 State Transportation Improvement Program (STIP) for the Construction phase only.

## CURRENT STATUS

Since one of the proposed Project alternatives is a roundabout, the City must complete a Roundabout Report of Conceptual Approval (RRCA). The RRCA includes the conceptual roundabout design and documents the analysis necessary to determine if a roundabout is feasible at the proposed location. The completed RRCA will signal the end of the Project Development phase, and the Environmental phase can begin. The RRCA is considered necessary, irrespective of possible relinquishment of the SR 225 roadway from Caltrans to the City, because the roundabout design feasibility and associated cost estimates are updates necessary to resolve issues associated with Project costs and design alternatives.

City staff has prepared a draft RRCA working with Caltrans over the past year and a half, but has not successfully obtained Caltrans' approval. Caltrans staff recommended the City pursue a peer review process that would include a roundabout design specialist. Staff solicited proposals from six engineering consultant firms. Staff is recommending Kittelson & Associates, a firm specializing in roundabout design, as sub-consultant, to Penfield & Smith (P&S) to perform a peer review of the report and conceptual roundabout design as part of the P&S preliminary design contract. Kittelson & Associates is considered one of a few national experts in the design of roundabouts, and has worked with the regional Caltrans office successfully in this capacity. This peer review process will include close coordination with Caltrans, which is anticipated to expedite the Caltrans approval process. The recommendations from the peer review will be incorporated into the RRCA and submitted to Caltrans for approval.

Following approval of the RRCA, P&S will proceed with the preliminary design and cost estimates for the two alternatives, the traffic signal and the roundabout, which will be utilized during the Environmental phase and as the basis for the final design phase.

As stated above, the PSR approved in 2002 determined that construction of a roundabout at the Intersection would be similar in cost to the installation of a traffic signal. Therefore, the Project was programmed for \$750,000 of STIP funding for only

the Construction phase. Based upon more recent rough construction estimates for each alternative, it is expected that the roundabout alternative will cost more than the traffic signal alternative, and it is anticipated to exceed the \$750,000 STIP funding available for construction. As part of the preliminary design contract, P&S will provide updated construction cost estimates for each alternative, which will allow City staff to determine a new preferred alternative and additional construction funding, if necessary.

**PRELIMINARY DESIGN PHASE CONSULTANT ENGINEERING SERVICES**

Staff recommends that Council authorize the Public Works Director to execute a contract with P&S in the amount of \$69,665 for peer review and preliminary design and extra services. P&S was selected as part of a Request For Proposal (RFP) process. Consultants were rated based upon their qualifications and technical proposals. An interview was conducted with the top Consultant candidate. Based upon the proposal and interview, the Consultant was asked to provide a cost proposal to perform the work. Consultant negotiations produced a fair and reasonable price.

**FUNDING**

The following summarizes total Project costs, as currently estimated, for each alternative (roundabout and traffic signal):

**ESTIMATED TOTAL PROJECT COST**

	<b>Roundabout</b>	<b>Traffic Signal</b>
Preliminary Design (Base + Extra Services)	\$69,665	\$69,665
Final Design	\$120,000	\$80,000
Other Design Costs – Environmental Clearances, Right of Way, Staff Project Management, Public Outreach, etc.	\$200,000	\$100,000
<b><i>Design Subtotal</i></b>	<b>\$389,665</b>	<b>\$249,665</b>
Estimated Construction Contract w/Change Order Allowance	\$1,300,000	\$700,000
Estimated Construction Management/Inspection (by Contract or City)	\$200,000	\$100,000
Estimated Other Construction Costs (testing, etc.)	\$80,000	\$40,000
<b><i>Construction Subtotal</i></b>	<b>\$1,580,000</b>	<b>\$840,000</b>
<b>TOTAL PROJECT COST</b>	<b>\$1,969,665</b>	<b>\$1,089,665</b>

There are sufficient funds in the Streets Capital Fund, using Measure D funds, to cover the cost for preliminary design.

Project construction costs will be reevaluated after the preliminary design is completed and a preferred alternative is identified. A STIP grant in the amount of \$750,000 is available for only the Construction phase. If the roundabout alternative is recommended, staff would pursue grant funding to make up the shortfall. If additional grant funding is not available, the Project final design would be modified to match available funding. Once the available Project funding is determined, staff will return to Council to request authorization to proceed with the recommended final design.

The RRCA and preliminary design contract is scheduled to be completed within approximately six to eight months.

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/AS/sk

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Administration Division, Parks and Recreation Department

**SUBJECT:** Resolution Authorizing Submission Of An Urban Forestry Grant Application In The Amount Of \$73,600 For The Development Of A Santa Barbara Urban Forest Management Plan

### **RECOMMENDATION:**

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Funding From the Urban Forestry Grant Program Entitled, "An Urban Forest For Every City", as Provided Through Proposition 40 and/or Proposition 84.

### **DISCUSSION:**

The City of Santa Barbara has a long history of municipal tree planting and a diverse urban forest. Initially spearheaded through the horticultural and civic leadership of prominent City residents in the late 1800s, the City's urban forest is currently comprised of more than 50,000 trees along public streets and in parks and other public places, and an estimated 250,000 trees on private property. There are more than 450 species of trees on public property.

Although the City has a Street Tree Master Plan (1977) and management of the public urban forest is guided by the tree preservation policies outlined in the Santa Barbara Municipal Code (Chapter 15.20 and Chapter 15.24), neither outline long-term management objectives including canopy cover, infrastructure constraints, environmental resources, land use, aesthetics and community objectives. In certain areas of the city, the urban forest is aging, mature trees conflict with infrastructure, and species diversity is in decline. An urban forest management plan will allow the City to establish and implement long-term objectives and effectively allocate resources.

In the last five years, the Parks and Recreation Department (Department) completed a comprehensive inventory of city street, park and facility trees, and expanded its community education and outreach programs. In addition, Council approved updates to the City's tree preservation policies that established standards and clarified tree regulations. The next step is to develop a long-term guide for the preservation and enhancement of Santa Barbara's urban forest.

### Project Description

The primary purpose of the urban forest management plan is to address long-term management objectives including canopy cover, infrastructure constraints, environmental resources, land use, aesthetics and community objectives. The Parks and Recreation Department will manage the project. The project proposes to establish a technical advisory committee with representation from the City's Street Tree Advisory Committee, Parks and Recreation Commission, Santa Barbara Beautiful, Santa Barbara Botanic Garden, the local nursery and tree care industries, and Southern California Edison. The Department will conduct community meetings and work with Community Development and Public Works Department staff in the development of the plan.

### Urban Forestry Grant Program

The Urban Forestry Grant Program, administered by the California Department of Forestry and Fire Protection (CAL FIRE), provides funds to local agencies for the implementation of urban forestry projects. In September 2011, the Parks and Recreation (Department) submitted a concept proposal to CAL Fire for the development of an urban forest management plan. In January 2012, the Department was notified that its concept proposal had ranked high enough to be eligible for the next step, which is submission of a full proposal. The full proposal application requires a Council resolution authorizing the grant application and designating the City's agent to conduct all contract negotiations. If funded, the Department will return to Council with the full project scope and the project would begin in Fiscal Year 2013.

### **BUDGET/FINANCIAL INFORMATION:**

The Parks and Recreation Department is requesting \$73,600 in grant funding. The project budget includes matching funds in the amount of \$26,156, for a total project cost of \$99,756. Department matching funds represent the in-kind value of Assistant Director and City Arborist staff hours for project management and implementation in Fiscal Year 2013 and would not require new appropriations to the Department's annual operating budget.

### **SUSTAINABILITY IMPACT:**

In addition to quality of life and aesthetic community benefits, the City's urban forest provides energy conservation, water quality, air quality, and wildlife habitat benefits.

**PREPARED BY:** Jill E. Zachary, Assistant Parks and Recreation Director

**SUBMITTED BY:** Nancy L. Rapp, Parks and Recreation Director

**APPROVED BY:** City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA FOR FUNDING FROM THE URBAN FORESTRY GRANT PROGRAM ENTITLED, "AN URBAN FOREST FOR EVERY CITY", AS PROVIDED THROUGH PROPOSITION 40 AND/OR PROPOSITION 84.

WHEREAS, the Governor of the State of California in cooperation with the California State Legislature has enacted Propositions 40 and 84, which provide funds to the State of California and its political subdivisions for urban forestry programs;

WHEREAS, the State Department of Forestry and Fire Protection has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by local agencies and non-profit organizations under the program,

WHEREAS, said procedures established by the State Department of Forestry and Fire Protection require the applicant to certify by resolution the approval of application before submission of said application to the State; and

WHEREAS, the applicant will enter into an agreement with the State of California to carry out an urban forestry project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Barbara:

1. Approved the filing of an application for "PROPOSITION 40 and 84" urban forestry grant program funds; and
2. Certifies that said applicant has or will have sufficient funds to operate and maintain the project; and,
3. Certifies that funds under the jurisdiction of the Council of the City of Santa Barbara are available to begin the project.
4. Certifies that said applicant will expend grant funds prior to March 30, 2014.
5. Appoints the Parks and Recreation Director, or a designee, as agent of the Council of the City of Santa Barbara to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project.



Agenda Item No. \_\_\_\_\_

File Code No. 530.04

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Increase In Emergency Purchase Order For Conejo Road Storm Drain Installation Project

### **RECOMMENDATION:**

That Council retroactively approve an increase in Emergency Purchase Order No. 77843 with MGE Underground, Inc. for the Conejo Road Storm Drain Installation Project in the amount of \$28,740.66 for extra work, for a total expenditure authority of \$115,144.75, pursuant to Municipal Code Section 4.52.080, pertaining to emergency purchases.

### **DISCUSSION:**

#### **BACKGROUND**

As a result of continued slide movement, a large depression has formed adjacent to the intersection of Conejo Road and Conejo Lane. This area has been the most active part of the slide. The depression has increased due to recent slide movement. The small rain event in October 2011 revealed that this area no longer provided positive drainage down Conejo Road, and there was an immediate need to eradicate the ponding water within this depression. Therefore, a catch basin was installed at the low point within the depression, and approximately 300 feet of new directionally-drilled 12-inch storm drain pipe was installed in December 2011. The outlet of this new pipe flows to an existing storm drain system.

On November 22, 2011, Council retroactively approved an Emergency Purchase Order Contract issued on November 4, 2011 to MGE Underground, Inc. in the amount of \$86,404.09. An Emergency Purchase Order Contract was used to get the work done in a timely manner, and in advance of the eminent rains, to minimize moisture being added to the slide area. MGE Underground's base bid was \$66,404.09 and an additional \$20,000 change order allowance was authorized to cover overages/contingencies since it was emergency work with potentially unforeseen circumstances, such as encountering boulders during directional drilling.

**CURRENT STATUS**

The installation of the storm drain and catch basin was completed by MGE Underground on December 29, 2011. Several areas of hard rock and boulders were encountered during drilling which required additional time, material, and equipment to drill the hole, excavate, and break rock for the new storm drain pipe. Initially, it was anticipated that the extra work could be completed within the \$20,000 change order allowance. Unfortunately, the final remaining work also encountered hard rock, and the completed work exceeded the change order authorization by \$28,740.66, for a total expenditure of \$115,144.75. This Council recommendation is to retroactively approve the increase in the amount of the change order.

**BUDGET/FINANCIAL INFORMATION:**

**FUNDING**

The following summarizes the additional expenditures recommended in this report:

**EMERGENCY PURCHASE ORDER CONTRACT FUNDING SUMMARY**

	<b>Base Bid</b>	<b>Change Order</b>	<b>Total</b>
Initial Contract Amount	\$66,404.09	\$20,000.00	<b>\$86,404.09</b>
Proposed Change Order Increase	\$0	\$28,740.66	<b>\$28,740.66</b>
<b>Totals</b>	<b>\$66,404.09</b>	<b>\$48,740.66</b>	<b>\$115,144.75</b>

There are sufficient funds in the Streets Capital Fund to cover the extra work.

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/AH/mj

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



Agenda Item No. \_\_\_\_\_

File Code No. 440.02

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Administrative Services

**SUBJECT:** Extension Of MOU With Hourly Bargaining Unit

### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the Term of the Existing Memorandum Of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit to December 31, 2012.

### **DISCUSSION:**

The City's hourly employees are employees who work fewer than 1000 hours in any fiscal year. Most hourly employees who work more than 520 hours per fiscal year become part of the Hourly Employees Bargaining Unit. About 300 hourly employees belong to this bargaining unit, represented by SEIU Local 620, at any one time.

The 2008-2010 labor agreement was extended once by mutual agreement, as provided under the agreement terms, through December 31, 2011. Negotiators for the union and the City have met and agreed to extend the term of the agreement for one additional year. Hourly employees ratified this extension at their January membership meeting.

### **BUDGET/FINANCIAL INFORMATION:**

This extension does not include any changes to salary and benefits, so there will be no budget impact.

**PREPARED BY:** Kristy Schmidt, Employee Relations Manager

**SUBMITTED BY:** Marcelo López, Assistant City Administrator

**APPROVED BY:** City Administrator's Office

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA EXTENDING THE TERM OF THE EXISTING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE HOURLY EMPLOYEES' BARGAINING UNIT TO DECEMBER 31, 2012

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The term of the Memorandum of Understanding between the City of Santa Barbara and the Service Employees' International Union, Local 620, Hourly Employees' Bargaining Unit, entered into as of November 1, 2008 and adopted under Ordinance No. 5483 is hereby extended to December 31, 2012.

**CITY OF SANTA BARBARA**  
**REDEVELOPMENT AGENCY MINUTES**

**Regular Meeting**  
**September 13, 2011**  
**Council Chamber, 735 Anacapa Street**

**CALL TO ORDER**

Chair Helene Schneider called the joint meeting of the Agency and the City Council to order at 2:00 p.m.

**ROLL CALL**

Agency members present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Chair Schneider.

Agency members absent: None.

Staff present: Executive Director/Secretary James L. Armstrong, Agency Counsel Stephen P. Wiley, Deputy Director Paul Casey, Housing and Redevelopment Manager Brian Bosse, City Clerk Services Manager Cynthia M. Rodriguez.

**PUBLIC COMMENT**

No one wished to speak.

**CONSENT CALENDAR (Item Nos. 1 and 2)**

Motion:

Agency Members Hotchkiss/Francisco to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Redevelopment Agency Fiscal Year 2012 Interim Financial Statements For The One Month Ended July 31, 2011 (11)

Recommendation: That Redevelopment Agency Board Accept the Redevelopment Agency Fiscal Year 2012 Interim Financial Statements for the One Month Ended July 31, 2011.

Action: Approved the recommendation (September 13, 2011, report from the Fiscal Officer).

2. Subject: Redevelopment Agency Fiscal Year 2011 Interim Financial Statements For The Twelve Months Ended June 30, 2011 (12)

Recommendation: That Redevelopment Agency Board Accept the Redevelopment Agency Fiscal Year 2011 Interim Financial Statements for the Twelve Months Ended June 30, 2011.

Action: Approved the recommendation (September 13, 2011, report from the Fiscal Officer).

## **ADJOURNMENT**

Chair Schneider adjourned the meeting at 6:30 p.m.

SANTA BARBARA  
REDEVELOPMENT AGENCY

SANTA BARBARA  
CITY CLERK'S OFFICE

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HELENE SCHNEIDER  
CHAIR

---

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

**CITY OF SANTA BARBARA**  
**REDEVELOPMENT AGENCY MINUTES**

**Regular Meeting**  
**October 11, 2011**  
**Council Chamber, 735 Anacapa Street**

**CALL TO ORDER**

Chair Helene Schneider called the joint meeting of the Agency and the City Council to order at 2:01 p.m.

**ROLL CALL**

Agency members present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Chair Schneider.

Agency members absent: None.

Staff present: Executive Director/Secretary James L. Armstrong, Agency Counsel Stephen P. Wiley, Deputy Director Paul Casey, Housing and Redevelopment Manager Brian Bosse, City Clerk Services Manager Cynthia M. Rodriguez.

**PUBLIC COMMENT**

No one wished to speak.

**CONSENT CALENDAR (Item Nos. 1 and 2)**

Motion:

Agency members House/Francisco to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote.

1. Subject: Minutes (8)

Recommendation: That the Redevelopment Agency Board waive the reading and approve the minutes of the special meetings of June 28 and August 23, 2011.

Action: Approved the recommendation.

2. Subject: Redevelopment Agency Fiscal Year 2012 Interim Financial Statements For The Two Months Ended August 31, 2011 (9)

Recommendation: That Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2012 Interim Financial Statements for the Two Months Ended August 31, 2011.

Action: Approved the recommendation (October 11, 2011, report from the Fiscal Officer).

## **ADJOURNMENT**

Chair Schneider adjourned the meeting at 5:24 p.m.

SANTA BARBARA  
REDEVELOPMENT AGENCY

SANTA BARBARA  
CITY CLERK'S OFFICE

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HELENE SCHNEIDER  
CHAIR

---

CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

**CITY OF SANTA BARBARA**  
**REDEVELOPMENT AGENCY MINUTES**

**Regular Meeting**  
**December 13, 2011**  
**Council Chamber, 735 Anacapa Street**

**CALL TO ORDER**

Chair Helene Schneider called the joint meeting of the Agency and the City Council to order at 2:02 p.m.

**ROLL CALL**

Agency members present: Dale Francisco, Frank Hotchkiss, Grant House, Michael Self, Bendy White, Chair Schneider.

Agency members absent: Randy Rowse.

Staff present: Executive Director/Secretary James L. Armstrong, Agency Counsel Stephen P. Wiley, Deputy Director Paul Casey, Deputy City Clerk Susan Tschech.

**PUBLIC COMMENT**

No one wished to speak.

**CONSENT CALENDAR**

Motion:

Agency/Council members Francisco/Hotchkiss to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Agency/Council member Rowse).

1. Subject: Redevelopment Agency 2011 Comprehensive Annual Financial Report (620.01/10)

Recommendation: That Council and the Redevelopment Agency Board:

- A. Approve the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2011, consisting of the Auditor's Opinion and Financial Statements, and the Auditor's Compliance Report; and
- B. Direct staff to submit required copies of the Report to the California State Controller's Office.

(Cont'd)

1. (Cont'd)

Action: Approved the recommendations (December 13, 2011, report from the Deputy Director/Assistant City Administrator/Community Development Director; Redevelopment Agency Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2011).

**ADJOURNMENT**

Chair Schneider adjourned the meeting at 7:10 p.m.

SANTA BARBARA  
REDEVELOPMENT AGENCY

SANTA BARBARA  
CITY CLERK'S OFFICE

---

HELENE SCHNEIDER  
CHAIR

---

SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA

## COUNCIL ACTING AS SUCCESSOR AGENCY TO THE CITY OF SANTA BARBARA REDEVELOPMENT AGENCY AGENDA REPORT

**A GENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Administration Division, Finance Department

**SUBJECT:** Authorization To Invest Redevelopment Successor Agency Funds In The State Of California's Local Agency Investment Fund (LAIF)

### RECOMMENDATION:

That Council, acting as the Successor Agency to the City of Santa Barbara Redevelopment Agency, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara, Acting as Successor Agency to the City of Santa Barbara Redevelopment Agency, Authorizing the Investment of Monies of the Successor Agency of the City of Santa Barbara Redevelopment Agency in the State of California's Local Agency Investment Fund.

### DISCUSSION:

The City's Investment Policy currently authorizes the investment of City and Redevelopment Agency funds in the State of California's Local Agency Investment Fund (LAIF), a multi-billion dollar money market fund run by the State Treasurer's office for the benefit of the State and local governments. The City has been using LAIF as the primary short-term investment vehicle for both the City and the Redevelopment Agency for more than two decades. Pursuant to State law, LAIF account balances are limited to \$50 million and LAIF offers very competitive returns with same-day availability. That is, the City can deposit or withdraw funds from LAIF on a same-day basis according to daily cash flow needs.

Under Assembly Bill 1X 26, Redevelopment Agencies were eliminated in the State of California on January 31, 2012. On February 1, 2012, all assets and obligations of the former redevelopment agencies, excluding assets and obligations associated with the affordable housing program, were transferred to successor agencies for the purpose of winding up the affairs of the agency and payment of enforceable obligations, including debt service and other contractually obligated costs. Housing assets and obligations, excluding the low and moderate income housing fund, were transferred to the City as the successor housing agency.

On January 25, 2012, the City received notification from the State of California Treasurer's Office that after January 31, 2012, the Redevelopment Agency LAIF account might no longer be accessible. As a conservative measure earlier this year, all Redevelopment Agency and Redevelopment Agency Housing cash balances, previously held in the Redevelopment Agency LAIF account, were temporarily pooled in the City's LAIF account until clear direction on the status of redevelopment LAIF accounts was issued.

The letter from the State Treasurer's Office also indicated that LAIF guidelines require a resolution from the governing body of the successor agency in order to create a new LAIF account for the successor agency. The recommendation will adopt a resolution authorizing the City of Santa Barbara, Acting as Successor Agency to the City of Santa Barbara Redevelopment Agency, to establish the new LAIF account for the deposit of all City of Santa Barbara Redevelopment Agency funds, excluding the funds formerly held in the low and moderate income housing fund, and will name the City Administrator, the Finance Director and the Treasury Manager as the positions authorized to conduct business with LAIF on behalf of the successor agency. These are the same positions currently authorized by the City's Investment Policy to transact business with LAIF on behalf of the City and the former Redevelopment Agency.

- ATTACHMENT:** Letter Dated January 25, 2012 from the Office of the State Treasurer to State LAIF Participants
- SUBMITTED BY:** Jill Taura, Treasury Manager
- REVIEWED BY:** Robert Samario, Finance Director
- APPROVED BY:** City Administrator's Office

**OFFICE OF THE TREASURER**

P. O. BOX 942809  
SACRAMENTO, CA 94209-0001



January 25, 2012

Dear LAIF Participant:

As you know, as a result of AB x1 26 and the recent Supreme Court decision, redevelopment agencies will no longer exist as of January 31, 2012. Your agency maintains an account with the Local Agency Investment Fund (LAIF), managed by the State Treasurer's Office. Our policies require that no transactions can be processed in LAIF accounts without evidence that the individual requesting the transaction is authorized by the agency on whose behalf the request is made. Specifically, we require a resolution, bank and authorization form.

We believe it is important that you are aware of these requirements as you wind down your operations and transition to the successor entity. Please provide us with information regarding the identity of the successor entity that will be taking over your agency's operations and contact information for a person at the successor entity we can work with to get new authorization documents in place as soon as possible.

You and your successor entity should be aware that without appropriate documentation in place, transactions in the LAIF account for your agency, or as it is taken over by the successor entity, cannot be processed.

It is important that you immediately send a letter that states what your successor entity is and the above mentioned supporting documentation to the State Treasurer's Office. Please do this for each account you have in LAIF, including any bond accounts. This material should be sent to:

**Local Agency Investment Fund  
California State Treasurer's Office  
PO Box 942809  
Sacramento, CA 95814  
Attention: RDA Coordinator**

If you have questions on this, please contact the LAIF staff at 916/653-3001.

Thank you,

Daniel S. Dowell  
Director, Investment Division

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA, ACTING AS SUCCESSOR AGENCY TO THE CITY OF SANTA BARBARA REDEVELOPMENT AGENCY, AUTHORIZING THE INVESTMENT OF MONIES OF THE SUCCESSOR AGENCY OF THE CITY OF SANTA BARBARA REDEVELOPMENT AGENCY IN THE STATE OF CALIFORNIA'S LOCAL AGENCY INVESTMENT FUND

WHEREAS, pursuant to Chapter 730 of the statutes of 1976, Section 16429.1, was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, City Council, acting as Successor Agency to the City of Santa Barbara Redevelopment Agency, does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein is in the best interests of the Successor Agency of the City of Santa Barbara Redevelopment Agency.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SANTA BARBARA, ACTING AS SUCCESSOR AGENCY TO THE CITY OF SANTA BARBARA REDEVELOPMENT AGENCY, does hereby authorize the deposit and withdrawal of monies of the Successor Agency of the City of Santa Barbara Redevelopment Agency in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED that the following City of Santa Barbara officers or their successors in office shall be authorized to order the deposit or withdrawal of monies of the Successor Agency of the City of Santa Barbara Redevelopment Agency in the Local Agency Investment Fund:

<u>James L. Armstrong</u> (NAME)	<u>Robert Samario</u> (NAME)	<u>Jill Taura</u> (NAME)
<u>City Administrator</u> (TITLE)	<u>Finance Director</u> (TITLE)	<u>Treasury Manager</u> (TITLE)
<u>(SIGNATURE)</u>	<u>(SIGNATURE)</u>	<u>(SIGNATURE)</u>



Agenda Item No. \_\_\_\_\_

File Code No. 330.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Authorize Sale Of Excess City Property At 20 South Milpas Street

### RECOMMENDATION:

That Council authorize the Public Works Director to offer the property at 20 South Milpas Street for sale in a public auction, and negotiate final sale terms as provided for and as required by the City Charter and Chapter 4.28 of the Santa Barbara Municipal Code.

### DISCUSSION:

The property known as 20 S. Milpas Street, Assessor Parcel Number 017-165-007 (see Attachment 1), was originally granted to the City by the State in 1959 by Resolution No. 3968. The property was part of a remainder parcel related to right of way acquisitions previously done for state highway improvements.

In 1960, the City leased the property to the United States Postal Service (USPS) for use as a parking lot for the adjacent neighborhood Post Office building they were leasing (see Attachment 2). Since that time, the City has continued to renew the parking lot lease with the USPS for various terms of one, three, and five years.

In 1998, based on the request from the USPS for a long-term lease for the parking lot, the City authorized an appraisal to determine the current rental value. The appraisal determined an approximate value of \$50 per parking space. Based on 31 spaces being available at the time, a valuation of \$18,600 per year was determined as market rent for the parking lot, which became the USPS annual lease rate.

Several lease extensions with renewals were then approved until 2001, when it was determined that a five-year lease, with the option to renew for an additional five years, would be more suitable for the USPS in matching their building lease tenancy. This term was approved and commenced.

In 2008, the USPS completed the construction of their new facility off Milpas Street on Cacique Street, and relocated the Post Office. As allowed under the terms of the existing lease, the USPS sublet the parking lot to the new tenant occupying the building premises adjacent to the parking lot.

In December 2010, staff made an internal valuation based on C-2 zoned comparable properties and a sales comparison valuation was done for the property to determine an estimate of market value. A value of \$30 to \$45 per square foot was established. Given the lot size of approximately 10,250 square feet, a market sale valuation for the property was estimated at approximately \$300,000.

In January 2011, staff asked Council to declare the property in excess to the City's needs and future uses. Council approved the proposal reserving final authority to sell the property until the completion of the necessary due diligence, which included preparing the property for sale, including title and conditions research, an initial environmental study, and offering the property to other public entities as required by state law. The due diligence is now complete.

Subsequently, the tenant vacated the building and parking lot. The parking lot lease was terminated by the USPS, effective November 30, 2011.

Given that the City no longer has a valued, long-term, and low maintenance tenant, the vacancy of the adjacent building, and the lack of City need for current or future use of the property, staff is recommending the sale of the property via public auction (see Attachment 3).

**ATTACHMENT(S):** 1) Assessor's Parcel map  
2) Vicinity Map  
3) Proposed Disposition Actions

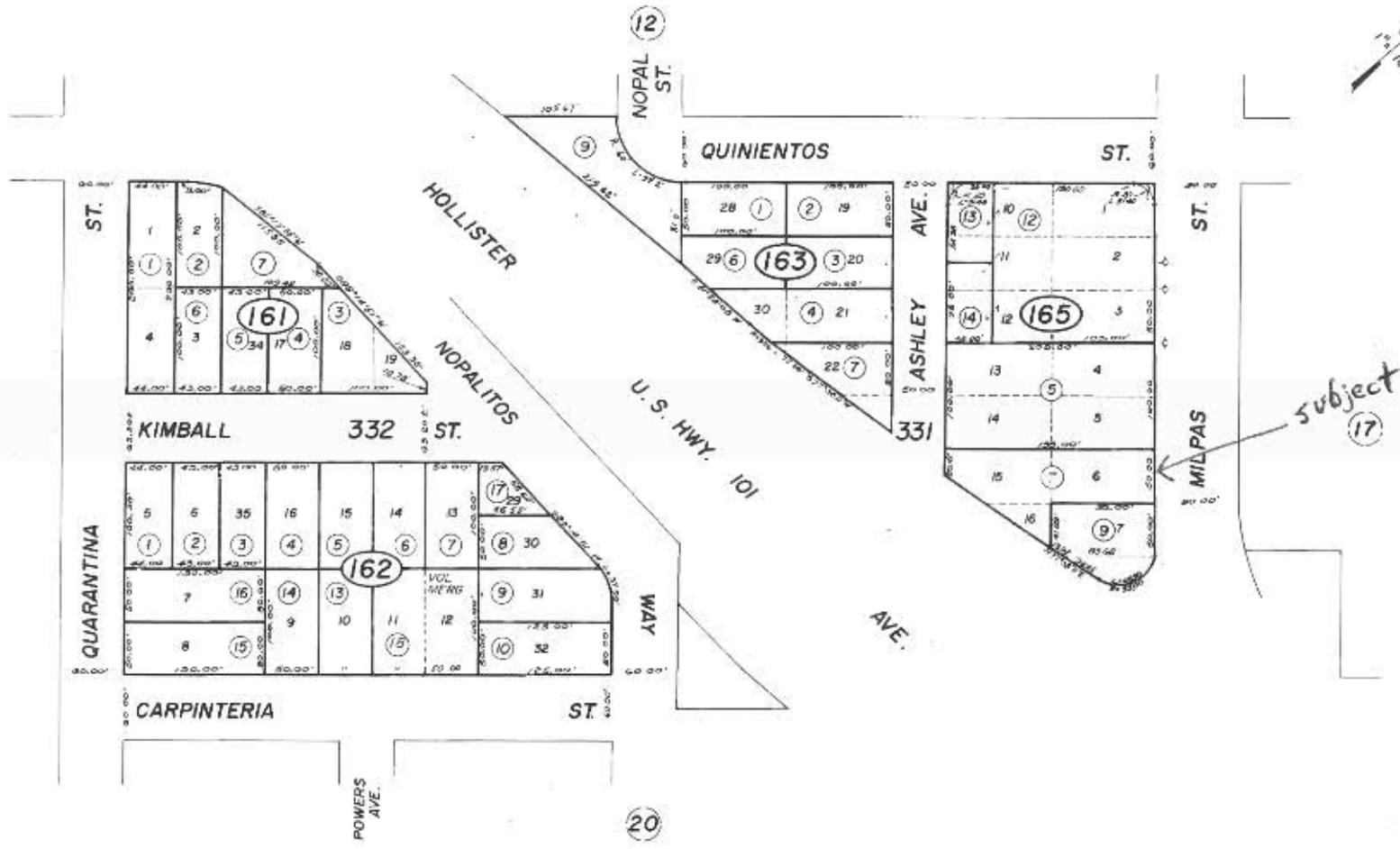
**PREPARED BY:** Pat Kelly, Assistant Public Works Director/City Engineer/DT/mj

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

PUEBLO LANDS

17-16

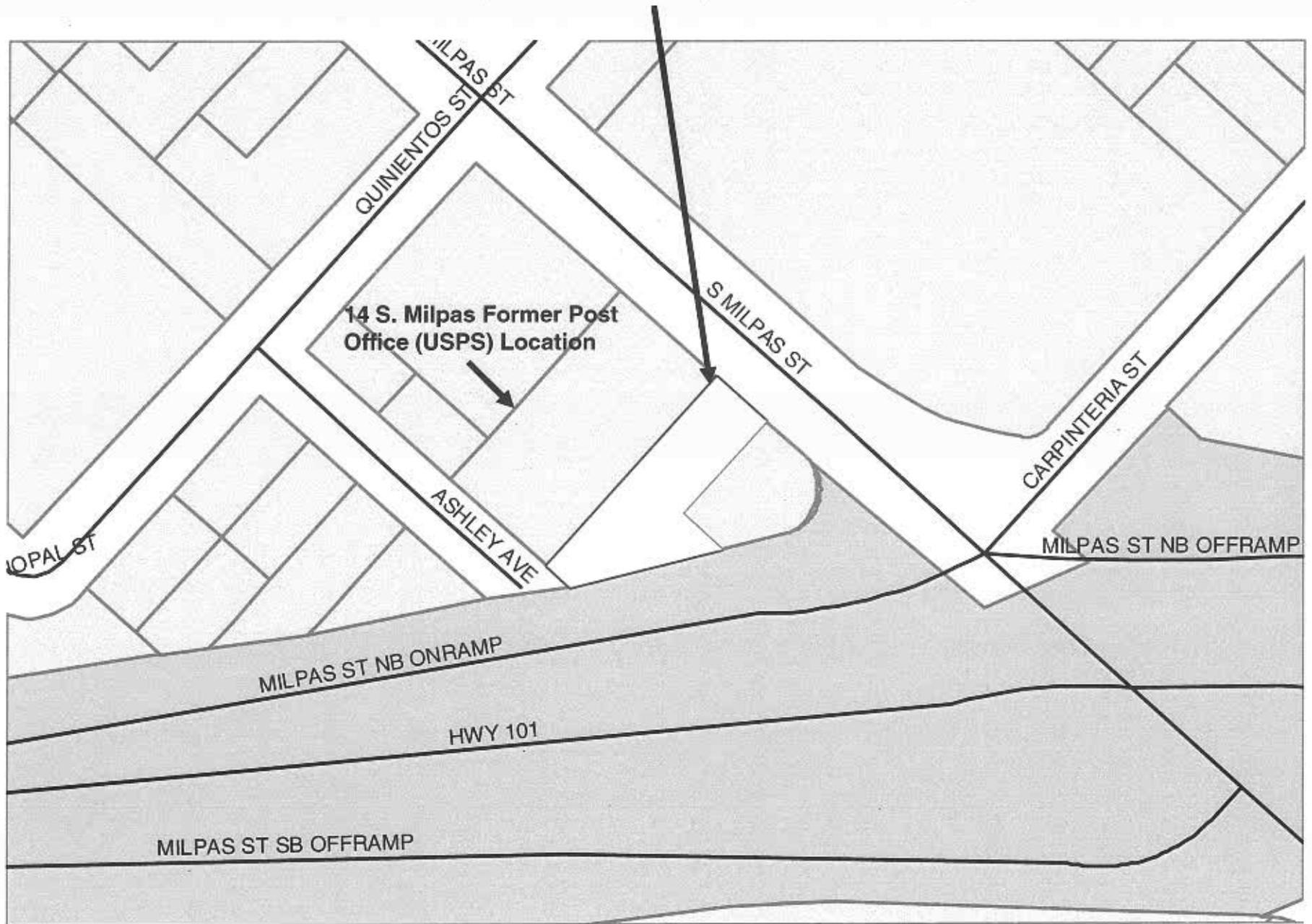


Assessor's Map Bk. 17 - Pg. 16  
County of Santa Barbara, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

52/92 166 00/100 803-20

### 20 S. Milpas Street City owned Parking lot



**Proposed Disposition Actions  
20 South Milpas Street (APN 017-165-007)**

**January 24, 2012**

	<u>Target Dates</u>
Council Action: authorize Public Works Director to sell by public auction	February, 2012
Prepare documents for City Attorney review	February, 2012
Bid Form Agreement of Sale Deed	
Advertising/Notice of Sale	February, 2012
News publication of notices inviting bids Post sale sign at site Notice to adjacent property owners	
Public Auction	March, 2012
Bids received/Negotiate Sale	March, 2012
Prospective purchaser/ low bidder	March, 2012
Council Action	April, 2012
Resolution authorizing execution (City Administrator)	
Escrow	
Submittal of documents	April, 2012
Close of escrow (after effective date of Ordinance)	April-May, 2012



Agenda Item No. \_\_\_\_\_

File Code No. 330.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works

**SUBJECT:** Declare Real Property At 309 West Ortega Street As Excess And Subject To Disposal By Public Auction

### **RECOMMENDATION:**

That Council declare the real property located at 309 West Ortega Street in excess to the City's needs, and authorize disposition of said property according to state and local guidelines. All actions will be subject to review and approval by the City Attorney to dispose of said property by public auction in accordance with Santa Barbara Municipal Code (SBMC) Chapter 4.28 and section 520 of the Santa Barbara City Charter.

### **DISCUSSION:**

The property located at 309 West Ortega Street was acquired as a necessary right of way acquisition for the Ortega Street Bridge Replacement Project (see Attachment 1 and 2). Council approved the acquisition of the bridge project properties on February 23, 2010. The subject property was acquired in full, due to its proximity to the bridge and potential damage to the residence as a consequence of pile driving and other heavy construction activity. The property abuts the west side of Mission Creek where a new creek wall has been installed. The property is zoned R-4 for multiple residential use. The parcel is approximately 4,375 square feet and contains a single-family residence of approximately 1,314 square feet. A 43-square-foot portion of the property is located within Mission Creek, and an approximate 1,292 square-foot area is encumbered by a flood control easement.

It was intended that the acquired property be available for sale upon the completion of the bridge construction and any necessary repairs to the residence. The bridge replacement is complete. Repairs to the residence, as well as fencing and landscape improvements, have also been completed.

Staff will follow all necessary procedures, including noticing to public housing agencies (as required by state law) and the preparation and coordination of the execution of documents by authorized parties, as required. All actions will be subject to the review

Council Agenda Report

Declare Real Property At 309 West Ortega Street As Excess And Subject To Disposal By Public Auction

February 7, 2012

Page 2

and approval of the City Attorney to dispose of said property by public auction in accordance with SBMC Chapter 4.28 and section 520 of the City Charter.

Pending any interest expressed by state or local agencies, who will be properly noticed of the excess land sale, staff is proposing to offer the property for sale via public auction under SBMC Chapter 4.28. It is intended that the auction will be advertised for a two-week period, with a deadline designated for receipt of sealed bids by interested parties. Bid packages containing general information about the property, including the appraisal, will be made available. Initial bids will be required at a price no lower than that of the appraisal valuation. An appraisal by Stephen Schott and Associates is pending.

Acceptable bids shall require an earnest money deposit of \$5,000 by cashier's check or money order. At bid opening, a designated City official will open the sealed bids and declare the highest bidder eligible to purchase the property. From this point forward, overbidding in increments of \$5,000 shall be allowed until the highest bid is determined. The remaining bidders shall have their respective deposits returned. The highest bidder will then be required to complete any subsequent negotiations with staff in order to execute a Land Purchase Agreement to be approved and accepted by Council.

This process was successfully used in the sale of the City's excess property at 404 Garden Street in 2005.

Proceeds from the sale shall be deposited in a specified City account as appropriate per Federal Highway Administration (FHWA) requirements for use as the City's portion of funding for future bridge replacement projects eligible for funding under the FHWA Highway Bridge Program (HBP). These funds could be available for the City's match for federal funding of several bridge replacement projects anticipated in upcoming years. The success of this effort will be a significant boost to the City's ability to finance its share of HBP grant projects going forward.

This project was funded by the FHWA's HBP at approximately 88.5%, with the City making up the remaining 11.5%.

**ATTACHMENT(S):** 1) Aerial map of property location  
2) Assessor's parcel map of 309 West Ortega Street

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/DT/mj

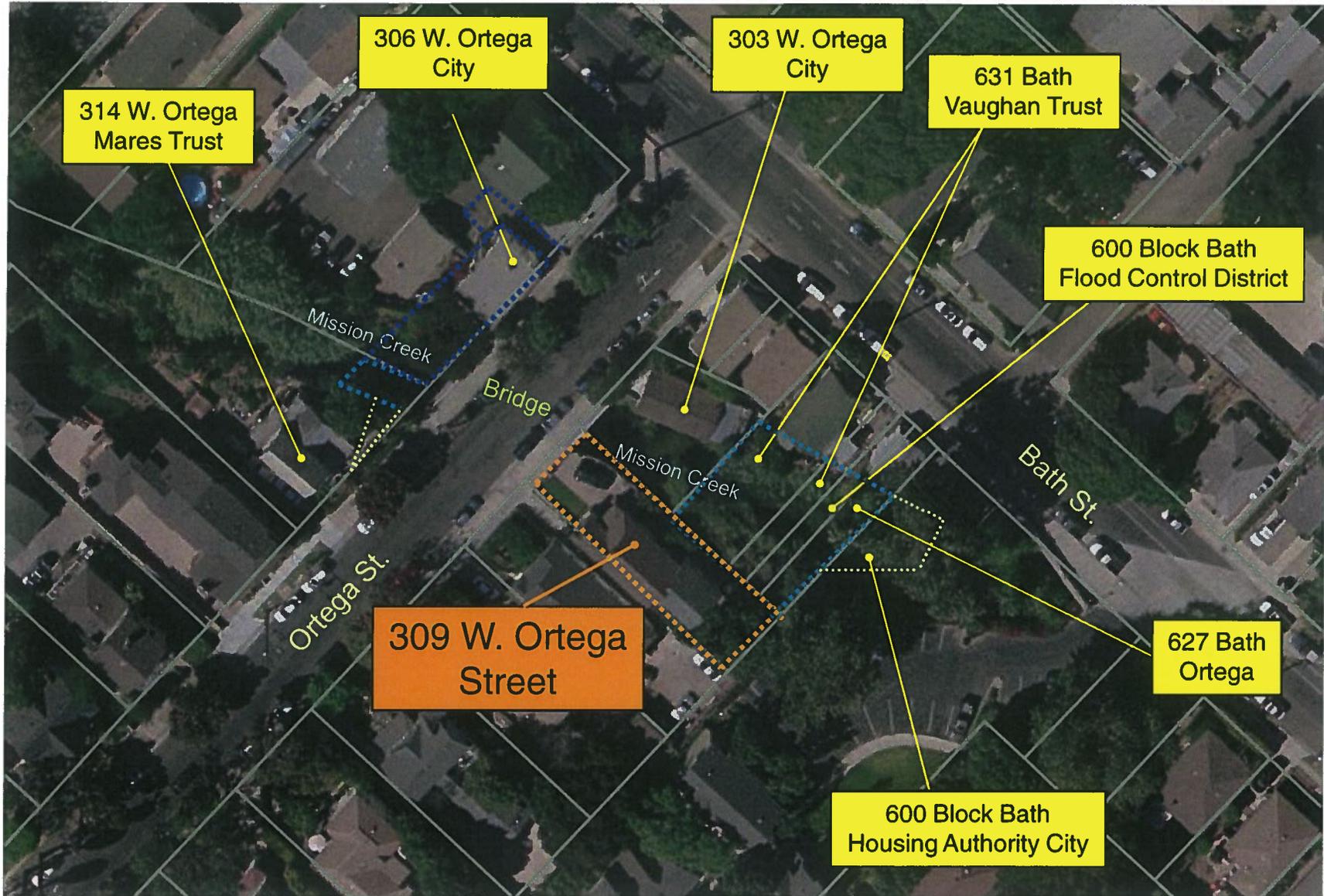
**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# 309 West Ortega Street

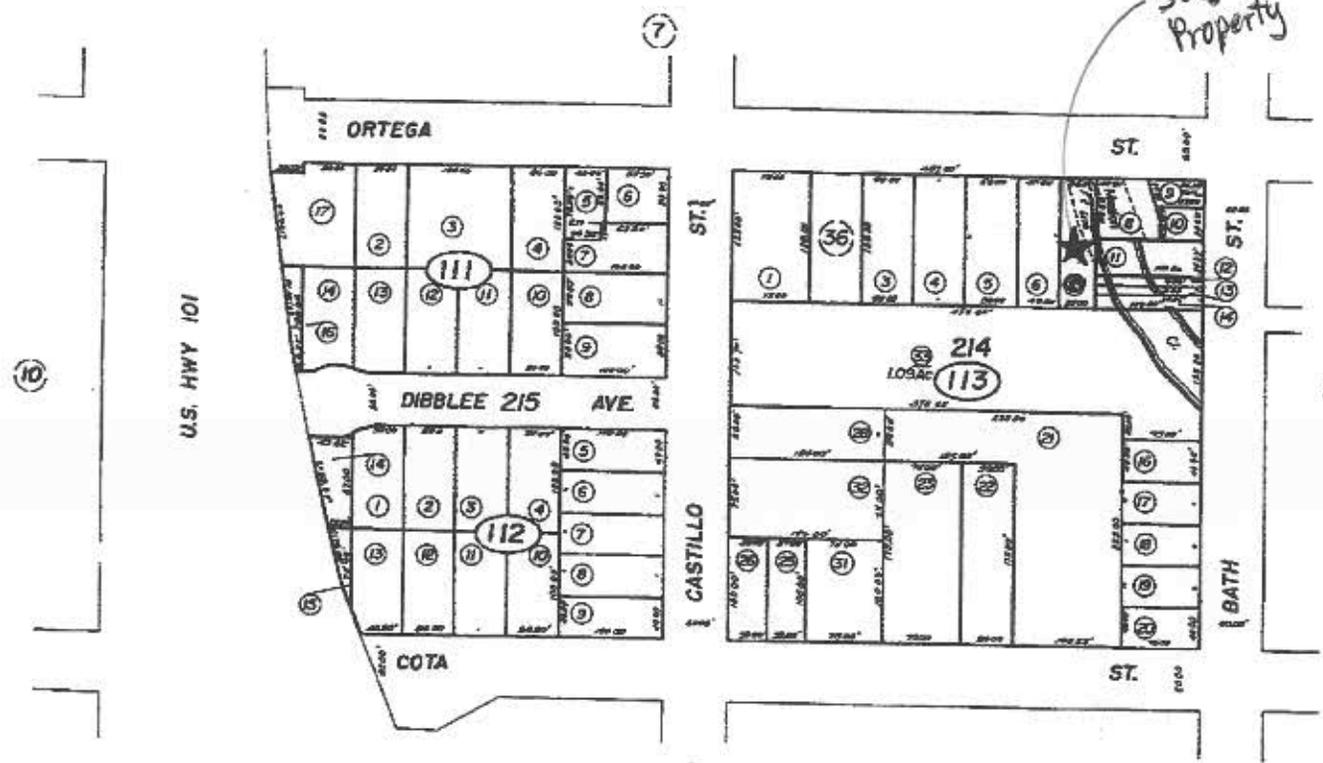
ATTACHMENT 1



POR. PUEBLO LANDS

37-11

309 W. Ortega  
Subject  
Property



Assessor's Map Bk. 37 - Pg. 11  
County of Santa Barbara, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

4/4 01 11/11 00/11



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012  
**TO:** Mayor and Councilmembers  
**FROM:** City Attorney's Office  
**SUBJECT:** Conference With Legal Counsel – Pending Litigation

### RECOMMENDATION:

That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is *Drew Josfan vs. Indochine, et al. USDC, Case No. CV 09-07904 AHM (PLAx)*.

### SCHEDULING:

Duration: 30 minutes - Anytime

### REPORT:

None anticipated

**SUBMITTED BY:** Stephen P. Wiley, City Attorney

**APPROVED BY:** City Administrator's Office



Agenda Item No. \_\_\_\_\_

File Code No. 330.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Closed Session Regarding Real Property

### RECOMMENDATION:

That Council hold a closed session, pursuant to Section 54956.8 of the Government Code, to consider real property negotiations between the staff of the City Administrator's office for the City of Santa Barbara and the staff of the Santa Barbara County Executive Officer, concerning a possible lease of parking spaces to the County. The subject real property is known as:

Granada Parking Garage  
1221 Anacapa Street  
Santa Barbara, CA 93101  
APNs 039-183-046 and -054

### Scheduling:

Duration: 30 minutes

Time: Anytime

Report: None anticipated

**PREPARED BY:** Paul A. Casey, Assistant City Administrator

**SUBMITTED BY:** James L. Armstrong, City Administrator

**APPROVED BY:** City Administrator's Office